



HB 0653

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A bill to be entitled
 An act relating to adult entertainment establishments;
 amending s. 847.0134, F.S.; revising the prohibition
 against locating an adult entertainment establishment
 within a specified distance from a school; requiring that
 such establishment be approved by the county or
 municipality and the district school board; providing an
 effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 847.0134, Florida Statutes, is amended
 to read:

847.0134 Prohibition of adult entertainment establishment
 that displays, sells, or distributes materials harmful to minors
 within 2,500 feet of a school.--

(1) Except for those establishments that are legally
 operating or have been granted a permit from a local government
 to operate as adult entertainment establishments on or before
 July 1, 2001, an adult entertainment establishment that sells,
 rents, loans, distributes, transmits, shows, or exhibits any
 obscene material, as described in s. 847.0133, or presents live
 entertainment or a motion picture, slide, or other exhibit that,
 in whole or in part, depicts nudity, sexual conduct, sexual
 excitement, sexual battery, sexual bestiality, or
 sadomasochistic abuse and that is harmful to minors, as
 described in s. 847.001, may not be located within 2,500 feet of
 the real property that comprises a public or private elementary
 school, middle school, or secondary school unless the county or
 municipality approves the location under proceedings as provided



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31 in s. 125.66(4) for counties or s. 166.041(3)(c) for
32 municipalities and the district school board consents to the
33 location at a meeting of the district school board held pursuant
34 to s. 1001.372.

35 (2) A violation of this section constitutes a felony of
36 the third degree, punishable as provided in s. 775.082 or s.
37 775.083.

38 Section 2. This act shall take effect July 1, 2003.