

By Senator Miller

18-744-04

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

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

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

15           847.0134 Prohibition of adult entertainment  
16 establishment that displays, sells, or distributes materials  
17 harmful to minors within 2,500 feet of a school.--

18           (1) Except for those establishments that are legally  
19 operating or have been granted a permit from a local  
20 government to operate as adult entertainment establishments on  
21 or before July 1, 2001, an adult entertainment establishment  
22 that sells, rents, loans, distributes, transmits, shows, or  
23 exhibits any obscene material, as described in s. 847.0133, or  
24 presents live entertainment or a motion picture, slide, or  
25 other exhibit that, in whole or in part, depicts nudity,  
26 sexual conduct, sexual excitement, sexual battery, sexual  
27 bestiality, or sadomasochistic abuse and that is harmful to  
28 minors, as described in s. 847.001, may not be located within  
29 2,500 feet of the real property that comprises a public or  
30 private elementary school, middle school, or secondary school  
31 unless the county or municipality approves the location under

1 proceedings as provided in s. 125.66(4) for counties or s.  
2 166.041(3)(c) for municipalities and the district school board  
3 consents to the location at a meeting of the district school  
4 board held pursuant to s. 1001.372.

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

8 Section 2. This act shall take effect July 1, 2004.

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SENATE SUMMARY

Prohibits locating certain adult entertainment  
establishments within 2,500 feet of a school unless the  
location is approved by the district school board.