

HB 1087

2006  
CS

CHAMBER ACTION

1 The Criminal Justice Committee recommends the following:

2  
3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to prostitution; amending s. 796.07, F.S.;  
7 providing for reclassification of penalties for certain  
8 violations committed within a specified distance of  
9 certain locations; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

12  
13 Section 1. Subsection (4) of section 796.07, Florida  
14 Statutes, is amended to read:

15 796.07 Prohibiting prostitution, etc.; evidence;  
16 penalties; definitions.--

17 (4) (a) A person who violates any provision of this section  
18 commits:

19 1.~~(a)~~ A misdemeanor of the second degree for a first  
20 violation, punishable as provided in s. 775.082 or s. 775.083.

21 2.~~(b)~~ A misdemeanor of the first degree for a second  
22 violation, punishable as provided in s. 775.082 or s. 775.083.

HB 1087

2006  
CS

23        3.~~(e)~~ A felony of the third degree for a third or  
24 subsequent violation, punishable as provided in s. 775.082, s.  
25 775.083, or s. 775.084.

26        (b) If a felony or misdemeanor violation of this section  
27 was committed within 1,000 feet of the real property comprising  
28 a child care facility as defined in s. 402.302 that is in  
29 compliance with the signage requirements for child care  
30 facilities in s. 893.13(1)(c); a public or private elementary,  
31 middle, or secondary school; or a physical place for worship  
32 where a church or religious organization regularly conducts  
33 religious services; or in, on, or within 1,000 feet of real  
34 property comprising a state, county, or municipal park, a  
35 community center, or a publicly owned recreational facility, the  
36 penalty shall be reclassified as follows:

37        1. A misdemeanor of the second degree is reclassified to a  
38 misdemeanor of the first degree.

39        2. A misdemeanor of the first degree is reclassified to a  
40 felony of the third degree.

41        3. A felony of the third degree is reclassified to a  
42 felony of the second degree.

43        Section 2. This act shall take effect October 1, 2006.