

HB 1167

2006

1 A bill to be entitled  
2 An act relating to sexual predators; creating s. 794.075,  
3 F.S.; defining the term "drug"; prohibiting distribution  
4 of any drug treating erectile dysfunction to a person  
5 designated as a sexual predator; providing an affirmative  
6 defense; prohibiting a sexual predator from possessing  
7 such a drug; providing criminal penalties; providing an  
8 effective date.

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

11  
12 Section 1. Section 794.075, Florida Statutes, is created  
13 to read:

14 794.075 Sexual predators; erectile dysfunction drugs.--

15 (1) For purposes of this section, the term "drug" has the  
16 same meaning as in s. 499.003.

17 (2) (a) A person may not distribute any drug treating  
18 erectile dysfunction to a person designated as a sexual predator  
19 under s. 775.21.

20 (b) It is an affirmative defense to a charge under this  
21 subsection that the sexual predator was not listed on the sexual  
22 predator registry at the time the drug was distributed.

23 (3) A person may not possess an erectile dysfunction drug  
24 if the person is designated as a sexual predator under s.  
25 775.21.

26 (4) A person who violates a provision of this section for  
27 the first time commits a misdemeanor of the second degree,  
28 punishable as provided in s. 775.082 or s. 775.083. A person who

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29 | violates a provision of this section a second or subsequent time  
30 | commits a misdemeanor of the first degree, punishable as  
31 | provided in s. 775.082 or s. 775.083.

32 | Section 2. This act shall take effect July 1, 2006.