20-1205-06

1   A bill to be entitled

2   An act relating to sexual predators; creating

3   s. 794.075, F.S.; defining the term "drug";

4   prohibiting distribution of any drug treating

5   erectile dysfunction to a person designated as

6   a sexual predator; providing an affirmative

7   defense; prohibiting a sexual predator from

8   possessing such a drug; providing criminal

9   penalties; 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 794.075, Florida Statutes, is

14 created to read:

15   794.075 Sexual predators; erectile dysfunction

16 drugs.--

17   (1) For purposes of this section, the term "drug" has

18 the same meaning as in s. 499.003.

19   (2)(a) A person may not distribute any drug treating

20 erectile dysfunction to a person designated as a sexual

21 predator under s. 775.21.

22   (b) It is an affirmative defense to a charge under

23 this subsection that the sexual predator was not listed on the

24 sexual predator registry at the time the drug was distributed.

25   (3) A person may not possess an erectile dysfunction

26 drug if the person is designated as a sexual predator under s.

27 775.21.

28   (4) A person who violates a provision of this section

29 for the first time commits a misdemeanor of the second degree,

30 punishable as provided in s. 775.082 or s. 775.083. A person

31 who violates a provision of this section a second or

1 subsequent time commits a misdemeanor of the first degree,

2 punishable as provided in s. 775.082 or s. 775.083.

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

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6   SENATE SUMMARY

7   Prohibits distribution of any drug treating erectile
    dysfunction to a person designated as a sexual predator.
8   Provides an affirmative defense. Prohibits a sexual
    predator from possessing such a drug. Provides criminal
9   penalties.

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