12-1285A-06                                                See HB 1087

1               A bill to be entitled

2          An act relating to prostitution; amending s.

3          796.07, F.S.; providing for reclassification of

4          penalties for certain violations committed

5          within a specified distance of certain

6          locations; providing an effective date.

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

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10          Section 1.  Subsection (4) of section 796.07, Florida

11  Statutes, is amended to read:

12          796.07  Prohibiting prostitution, etc.; evidence;

13  penalties; definitions.--

14          (4)<u>(a)</u>  A person who violates any provision of this

15  section commits:

16          <u>1.</u><s>(a)</s>  A misdemeanor of the second degree for a first

17  violation, punishable as provided in s. 775.082 or s. 775.083.

18          <u>2.</u><s>(b)</s>  A misdemeanor of the first degree for a second

19  violation, punishable as provided in s. 775.082 or s. 775.083.

20          <u>3.</u><s>(c)</s>  A felony of the third degree for a third or

21  subsequent violation, punishable as provided in s. 775.082, s.

22  775.083, or s. 775.084.

23          <u>(b)  If a felony or first-degree misdemeanor violation</u>

24  <u>of this section was committed within 1,000 feet of the real</u>

25  <u>property comprising a child care facility as defined in s.</u>

26  <u>402.302 that is in compliance with the signage requirements</u>

27  <u>for child care facilities in s. 893.13(1)(c); a public or</u>

28  <u>private elementary, middle, or secondary school; or a physical</u>

29  <u>place of worship where a church or religious organization</u>

30  <u>regularly conducts religious services; or in, on, or within</u>

31  <u>1,000 feet of real property comprising a state, county, or</u>

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1  municipal park, a community center, or a publicly owned

2  recreational facility, the penalty shall be reclassified as

3  follows:

4         1.  A misdemeanor of the first degree is reclassified

5  to a felony of the third degree.

6         2.  A felony of the third degree is reclassified to a

7  felony of the second degree.

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

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