

By Senator Crist

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A bill to be entitled

An act relating to prostitution; amending s. 796.07, F.S.; providing penalties for certain violations committed within a specified distance of certain locations; authorizing a court to place a person who is charged with prostitution into a drug court treatment program; authorizing the court to require that a person successfully complete the program as a condition of probation; setting a period of probation; providing an effective date.

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

Section 1. Subsection (4) of section 796.07, Florida Statutes, is amended, present subsections (5) and (6) of that section are redesignated as subsections (8) and (9), respectively, and new subsections (5), (6), and (7) are added to that section, to read:

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

(4) A person who violates any provision of this section, except as provided in subsection (5), commits:

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

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

(c) A felony of the third degree for a third or subsequent violation, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

1           (5) A person who violates any provision of this  
2 section within 1,000 feet of the real property comprising a  
3 child care facility as defined in s. 402.302 which is in  
4 compliance with the signage requirements for child care  
5 facilities in s. 893.13(1)(c); a public or private elementary,  
6 middle, or secondary school; a physical place of worship where  
7 a church or religious organization regularly conducts  
8 religious services; or a state, county, or municipal park, a  
9 community center, or a publicly owned recreational facility,  
10 commits:

11           (a) A misdemeanor of the first degree for a first  
12 violation, punishable as provided in s. 775.082 or s. 775.083.

13           (b) A felony of the third degree for a second  
14 violation, punishable as provided in s. 775.082, s. 775.083,  
15 or s. 775.084.

16           (c) A felony of the second degree for a third or  
17 subsequent violation, punishable as provided in s. 775.082, s.  
18 775.083, or s. 775.084.

19           (6) A court may place a person who is charged with a  
20 violation of this section into a drug court treatment program  
21 as an alternative to prison and may require successful  
22 completion of the program as a condition of probation.

23           (7) The court shall order that a person convicted of a  
24 violation of this section serve a period of probation equal to  
25 the time provided under a sentence for a felony of the second  
26 degree.

27           Section 2. This act shall take effect July 1, 2007.

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SENATE SUMMARY

Provides penalties for certain violations committed within a specified distance of certain locations.  
Authorizes a court to place a person who is charged with prostitution in a drug court treatment program.  
Authorizes the court to require a person to successfully complete the program as a condition of probation.