

1 A bill to be entitled
 2 An act relating to unnatural and lascivious acts; amending
 3 s. 800.02, F.S.; providing enhanced penalties for third
 4 and subsequent violations of specified provisions;
 5 providing enhanced penalties for offenses involving
 6 unnatural and lascivious acts committed within a specified
 7 distance of certain locations; providing an effective
 8 date.

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

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 12 Section 1. Section 800.02, Florida Statutes, is amended to
 13 read:

14 800.02 Unnatural and lascivious act.--

15 (1) (a) 1. Except as provided in paragraph (b), a person who
 16 commits any unnatural and lascivious act with another person
 17 commits a misdemeanor of the second degree, punishable as
 18 provided in s. 775.082 or s. 775.083.

19 2. Any person who violates subparagraph 1. and who has
 20 twice previously been convicted of a violation of subparagraph
 21 1. or s. 800.03 commits a felony of the third degree, punishable
 22 as provided in s. 775.082, s. 775.083, or s. 775.084.

23 (b) A person who commits any unnatural and lascivious act
 24 with another person on or within 1,000 feet of the real property
 25 comprising:

26 1. A child care facility, as defined in s. 402.302, that
 27 is in compliance with the signage requirements of s.
 28 893.13(1)(c);

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29 2. A public or private elementary, middle, or secondary
30 school between the hours of 6 a.m. and 12 midnight; or

31 3. A state, county, or municipal park, a public beach, a
32 community center as defined in s. 893.13(1)(c), or a publicly
33 owned recreational facility at any time

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35 commits a felony of the third degree, punishable as provided in
36 s. 775.082, s. 775.083, or s. 775.084.

37 (2) A mother's breastfeeding of her baby does not under
38 any circumstance violate this section.

39 Section 2. This act shall take effect October 1, 2008.