

By the Committees on Criminal and Civil Justice Appropriations; Agriculture; and Criminal Justice; and Senator Rich

604-05715-09

2009448c3

1 A bill to be entitled
 2 An act relating to sexual activities involving
 3 animals; creating s. 828.126, F.S.; providing
 4 definitions; prohibiting knowing sexual conduct or
 5 sexual contact with an animal; prohibiting specified
 6 related activities; providing penalties; providing
 7 that the act does not apply to certain husbandry,
 8 conformation judging, and veterinary practices;
 9 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 828.126, Florida Statutes, is created to
 14 read:

15 828.126 Sexual activities involving animals.—

16 (1) As used in this section, the term:

17 (a) "Sexual conduct" means any touching or fondling by a
 18 person, either directly or through clothing, of the sex organs
 19 or anus of an animal or any transfer or transmission of semen by
 20 the person upon any part of the animal for the purpose of sexual
 21 gratification or arousal of the person.

22 (b) "Sexual contact" means any contact, however slight,
 23 between the mouth, sex organ, or anus of a person and the sex
 24 organ or anus of an animal, or any penetration, however slight,
 25 of any part of the body of the person into the sex organ or anus
 26 of an animal, or any penetration of the sex organ or anus of the
 27 person into the mouth of the animal, for the purpose of sexual
 28 gratification or sexual arousal of the person.

29 (2) A person may not:

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30 (a) Knowingly engage in any sexual conduct or sexual
31 contact with an animal;

32 (b) Knowingly cause, aid, or abet another person to engage
33 in any sexual conduct or sexual contact with an animal;

34 (c) Knowingly permit any sexual conduct or sexual contact
35 with an animal to be conducted on any premises under his or her
36 charge or control; or

37 (d) Knowingly organize, promote, conduct, advertise, aid,
38 abet, participate in as an observer, or perform any service in
39 the furtherance of an act involving any sexual conduct or sexual
40 contact with an animal for a commercial or recreational purpose.

41 (3) A person who violates this section commits a
42 misdemeanor of the first degree, punishable as provided in s.
43 775.082 or s. 775.083.

44 (4) This section does not apply to accepted animal
45 husbandry practices, conformation judging practices, or accepted
46 veterinary medical practices.

47 Section 2. This act shall take effect October 1, 2009.