



794414

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/03/2010	.	
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The Committee on Criminal Justice (Dockery) recommended the following:

Senate Amendment to Amendment (513124)

Delete lines 122 - 148
and insert:

800.09 Lewd or lascivious exhibition in the presence of an employee.-

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

(a) "Facility" means a state correctional institution, as defined in s. 944.02, or a private correctional facility, as defined in s. 944.710.

(b) "Employee" means any person employed by or performing contractual services for a public or private entity operating a



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13 facility or any person employed by or performing contractual
14 services for the corporation operating the prison industry
15 enhancement programs or the correctional work programs under
16 part II of chapter 946. The term also includes any person who is
17 a parole examiner with the Parole Commission.

18 (2) (a) A person who is detained in a facility may not:

19 1. Intentionally masturbate;

20 2. Intentionally expose the genitals in a lewd or
21 lascivious manner; or

22 3. Intentionally commit any other sexual act that does not
23 involve actual physical or sexual contact with the victim,
24 including, but not limited to, sadomasochistic abuse, sexual
25 bestiality, or the simulation of any act involving sexual
26 activity

27
28 in the presence of a person he or she knows or reasonably should
29 know is an employee.

30 (b) A person who violates paragraph (a) commits lewd or
31 lascivious exhibition in the presence of an employee, a felony
32 of the third degree, punishable as provided in s. 775.082, s.
33 775.083, or s. 775.084.