

1                                   A bill to be entitled  
 2           An act relating to sexually transmissible diseases;  
 3           amending s. 384.23, F.S.; defining the term "sexual  
 4           conduct"; amending s. 384.24, F.S.; expanding the  
 5           scope of unlawful acts by a person infected with a  
 6           sexually transmissible disease; reenacting s.  
 7           384.34(1) and (5), F.S., relating to penalties  
 8           pertaining to transmission of sexually transmissible  
 9           diseases; 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 384.23, Florida Statutes, is amended to  
 14   read:

15           384.23   Definitions.—As used in this chapter, the term:

16           (1)   "Department" means the Department of Health.

17           (2)   "County health department" means agencies and entities  
 18   as designated in chapter 154.

19           (3)   "Sexual conduct" means any sexual activity between  
 20   persons involving the physical contact of the sex organs of one  
 21   person with the genitals, mouth, or anus of another person,  
 22   whether such persons are of the same or the opposite sex.

23           (4)~~(3)~~   "Sexually transmissible disease" means a bacterial,  
 24   viral, fungal, or parasitic disease determined by rule of the  
 25   department to be sexually transmissible, to be a threat to the

26 | public health and welfare, and to be a disease for which a  
27 | legitimate public interest will be served by providing for  
28 | prevention, elimination, control, and treatment. The department  
29 | must, by rule, determine which diseases are to be designated as  
30 | sexually transmissible diseases and shall consider the  
31 | recommendations and classifications of the Centers for Disease  
32 | Control and Prevention and other nationally recognized medical  
33 | authorities in that determination. Not all diseases that are  
34 | sexually transmissible need be designated for the purposes of  
35 | this act.

36 |       Section 2. Section 384.24, Florida Statutes, is amended to  
37 | read:

38 |       384.24 Unlawful acts.—

39 |       (1) It is unlawful for any person who has chancroid,  
40 | gonorrhea, granuloma inguinale, lymphogranuloma venereum,  
41 | genital herpes simplex, chlamydia, nongonococcal urethritis  
42 | (NGU), pelvic inflammatory disease (PID)/acute salpingitis, or  
43 | syphilis, when such person knows he or she is infected with one  
44 | or more of these diseases and when such person has been informed  
45 | that he or she may communicate this disease to another person  
46 | through sexual conduct ~~intercourse~~, to have sexual conduct  
47 | ~~intercourse~~ with any other person, unless such other person has  
48 | been informed of the presence of the sexually transmissible  
49 | disease and has consented to the sexual conduct ~~intercourse~~.

50 |       (2) It is unlawful for any person who has human

51 immunodeficiency virus infection, when such person knows he or  
52 she is infected with this disease and when such person has been  
53 informed that he or she may communicate this disease to another  
54 person through sexual conduct ~~intercourse~~, to have sexual  
55 conduct ~~intercourse~~ with any other person, unless such other  
56 person has been informed of the presence of the sexually  
57 transmissible disease and has consented to the sexual conduct  
58 ~~intercourse~~.

59 Section 3. For the purpose of incorporating the amendment  
60 made by this act to section 384.24, Florida Statutes, in a  
61 reference thereto, subsections (1) and (5) of section 384.34,  
62 Florida Statutes, are reenacted to read:

63 384.34 Penalties.—

64 (1) Any person who violates the provisions of s. 384.24(1)  
65 commits a misdemeanor of the first degree, punishable as  
66 provided in s. 775.082 or s. 775.083.

67 (5) Any person who violates s. 384.24(2) commits a felony  
68 of the third degree, punishable as provided in s. 775.082, s.  
69 775.083, or s. 775.084. Any person who commits multiple  
70 violations of s. 384.24(2) commits a felony of the first degree,  
71 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

72 Section 4. This act shall take effect October 1, 2017.