

Amendment No.

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u>    </u>	(Y/N)
ADOPTED AS AMENDED	<u>    </u>	(Y/N)
ADOPTED W/O OBJECTION	<u>    </u>	(Y/N)
FAILED TO ADOPT	<u>    </u>	(Y/N)
WITHDRAWN	<u>    </u>	(Y/N)
OTHER	<u>    </u>	

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1 Committee/Subcommittee hearing bill: Criminal Justice  
 2 Subcommittee

3 Representative Overdorf offered the following:

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5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 Section 1. Paragraph (d) is added to subsection (3) of  
 8 section 450.045, Florida Statutes, and paragraphs (a), (b), and  
 9 (c) of that subsection are republished to read:

10 450.045 Proof of identity and age; posting of notices.—

11 (3) (a) In order to provide the department and law  
 12 enforcement agencies the means to more effectively identify,  
 13 investigate, and arrest persons engaging in human trafficking,  
 14 an adult theater, as defined in s. 847.001(2) (b), shall obtain  
 15 proof of the identity and age of each of its employees or  
 16 independent contractors, and shall verify the validity of the

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17 identification and age verification document with the issuer,  
18 before his or her employment or provision of services as an  
19 independent contractor.

20 (b) The adult theater shall obtain and keep on record a  
21 photocopy of the person's driver license or state or federal  
22 government-issued photo identification card, along with a record  
23 of the verification of the validity of the identification and  
24 age verification document with the issuer, during the entire  
25 period of employment or business relationship with the  
26 independent contractor and for at least 3 years after the  
27 employee or independent contractor ceases employment or the  
28 provision of services.

29 (c) The department and its agents have the authority to  
30 enter during operating hours, unannounced and without prior  
31 notice, and inspect at any time a place or establishment covered  
32 by this subsection and to have access to age verification  
33 documents kept on file by the adult theater and such other  
34 records as may aid in the enforcement of this subsection.

35 (d) A person who owns, operates, or manages an adult  
36 theater in violation of the requirements of this subsection  
37 commits a misdemeanor in the first degree, punishable as  
38 provided in s. 775.082 and s. 775.083.

39 Section 2. Paragraph (b) of subsection (5) of section  
40 796.07, Florida Statutes, is amended, paragraph (c) of  
41 subsection (5) is repealed, paragraph (d) of subsection (5) is

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Published On: 3/25/2019 7:14:47 PM

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42 redesignated as paragraph (c), paragraph (e) is added to  
43 subsection (1), paragraph (d) is added to subsection (4), and  
44 paragraph (f) of subsection (2) of that section is republished  
45 to read:

46 796.07 Prohibiting prostitution and related acts.—

47 (1) As used in this section:

48 (e) "Human trafficking" has the same meaning as provided  
49 in s. 787.06.

50 (2) It is unlawful:

51 (f) To solicit, induce, entice, or procure another to  
52 commit prostitution, lewdness, or assignation.

53 (5) (a) A person who violates paragraph (2) (f) commits:

54 1. A misdemeanor of the first degree for a first  
55 violation, punishable as provided in s. 775.082 or s. 775.083.

56 2. A felony of the third degree for a second violation,  
57 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

58 3. A felony of the second degree for a third or subsequent  
59 violation, punishable as provided in s. 775.082, s. 775.083, or  
60 s. 775.084.

61 (b) In addition to any other penalty imposed, the court  
62 shall order a person convicted of a violation of paragraph  
63 (2) (f) to:

64 1. Perform 100 hours of community service; and

65 2. Pay for and attend an educational program about the  
66 negative effects of prostitution and human trafficking, such as

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67 a sexual violence prevention education program, including such  
68 programs offered by faith-based providers, if such programs  
69 exist in the judicial circuit in which the offender is  
70 sentenced.

71 3. Serve a minimum of 10 days in county jail.

72 (d) If a person violates paragraph (2)(f) and the person  
73 solicited, induced, enticed, or procured is a past or present  
74 victim of human trafficking, in addition to any other penalty  
75 imposed, the court shall order the defendant to serve a minimum  
76 of 30 days in county jail, consecutive to the minimum term of  
77 incarceration imposed under paragraph (5)(b).

78 Section 3. Paragraph (b) of subsection (2) of section  
79 847.001, Florida Statutes, is amended to read:

80 847.001 Definitions.—As used in this chapter, the term:

81 (2) "Adult entertainment establishment" means the  
82 following terms as defined:

83 (b) "Adult theater" means an enclosed building or an  
84 enclosed space within a building used for presenting either  
85 films, live plays, dances, or other performances that are  
86 distinguished or characterized by an emphasis on matter  
87 depicting, describing, or relating to specific sexual activities  
88 for observation by patrons, and which restricts or purports to  
89 restrict admission only to adults, or any business that features  
90 a person who engages in specific sexual activities for

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91 observation by a patron, and which restricts or purports to  
92 restrict admission to only adults.

93 Section 6. This act shall take effect July 1, 2019.

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96 **T I T L E A M E N D M E N T**

97 Remove everything before the enacting clause and insert:  
98 An act relating to victims of human trafficking; amending s.  
99 450.045, F.S.; penalizing failure to obtain, verify, and keep  
100 record of the age verification documents of an adult theater  
101 employee or contractor as a first degree misdemeanor; amending  
102 s. 796.07, F.S.; requiring a mandatory minimum term of  
103 incarceration for a solicitation of prostitution, lewdness, or  
104 assignation conviction; requiring a mandatory minimum term of  
105 incarceration for solicitation of prostitution, lewdness, or  
106 assignation offenses involving a victim of human trafficking;  
107 amending s. 847.001, F.S.; expanding the definition of the term  
108 "adult theater"; providing an effective date.  
109