

26 | proof of the identity and age of each of its employees or
27 | independent contractors, and shall verify the validity of the
28 | identification and age verification document with the issuer,
29 | before his or her employment or provision of services as an
30 | independent contractor.

31 | (b) The adult theater shall obtain and keep on record a
32 | photocopy of the person's driver license or state or federal
33 | government-issued photo identification card, along with a record
34 | of the verification of the validity of the identification and
35 | age verification document with the issuer, during the entire
36 | period of employment or business relationship with the
37 | independent contractor and for at least 3 years after the
38 | employee or independent contractor ceases employment or the
39 | provision of services.

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

46 | (d) A person who owns, operates, or manages an adult
47 | theater in violation of the requirements of this subsection
48 | commits a misdemeanor in the first degree, punishable as
49 | provided in s. 775.082 or s. 775.083.

50 | Section 2. Subsection (5) of section 796.07, Florida

51 Statutes, is amended, paragraph (e) is added to subsection (1),
 52 and paragraph (f) of subsection (2) of that section is
 53 republished, to read:

54 796.07 Prohibiting prostitution and related acts.—

55 (1) As used in this section:

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

58 (2) It is unlawful:

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

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

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

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

66 3. A felony of the second degree for a third or subsequent
 67 violation, punishable as provided in s. 775.082, s. 775.083, or
 68 s. 775.084.

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

72 1. Perform 100 hours of community service; ~~and~~

73 2. Pay for and attend an educational program about the
 74 negative effects of prostitution and human trafficking, such as
 75 a sexual violence prevention education program, including such

76 programs offered by faith-based providers, if such programs
77 exist in the judicial circuit in which the offender is
78 sentenced; and

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

80 b. In addition to the term in sub-subparagraph a., if a
81 person who violates paragraph (2)(f) solicits, induces, entices,
82 or procures a person who is a past or present victim of human
83 trafficking, the person shall serve a minimum of 30 days in
84 county jail, consecutive to the minimum term under sub-
85 paragraph a.

86 ~~(c) In addition to any other penalty imposed, the court~~
87 ~~shall sentence a person convicted of a second or subsequent~~
88 ~~violation of paragraph (2)(f) to a minimum mandatory period of~~
89 ~~incarceration of 10 days.~~

90 (c)(d)1. If a person who violates paragraph (2)(f) uses a
91 vehicle in the course of the violation, the judge, upon the
92 person's conviction, may issue an order for the impoundment or
93 immobilization of the vehicle for a period of up to 60 days. The
94 order of impoundment or immobilization must include the names
95 and telephone numbers of all immobilization agencies meeting all
96 of the conditions of s. 316.193(13). Within 7 business days
97 after the date that the court issues the order of impoundment or
98 immobilization, the clerk of the court must send notice by
99 certified mail, return receipt requested, to the registered
100 owner of the vehicle, if the registered owner is a person other

101 than the defendant, and to each person of record claiming a lien
102 against the vehicle.

103 2. The owner of the vehicle may request the court to
104 dismiss the order. The court must dismiss the order, and the
105 owner of the vehicle will incur no costs, if the owner of the
106 vehicle alleges and the court finds to be true any of the
107 following:

108 a. The owner's family has no other private or public means
109 of transportation;

110 b. The vehicle was stolen at the time of the offense;

111 c. The owner purchased the vehicle after the offense was
112 committed, and the sale was not made to circumvent the order and
113 allow the defendant continued access to the vehicle; or

114 d. The vehicle is owned by the defendant but is operated
115 solely by employees of the defendant or employees of a business
116 owned by the defendant.

117 3. If the court denies the request to dismiss the order,
118 the petitioner may request an evidentiary hearing. If, at the
119 evidentiary hearing, the court finds to be true any of the
120 circumstances described in sub-subparagraphs (d)2.a.-d., the
121 court must dismiss the order and the owner of the vehicle will
122 incur no costs.

123 Section 3. Paragraph (b) of subsection (2) of section
124 847.001, Florida Statutes, is amended to read:

125 847.001 Definitions.—As used in this chapter, the term:

126 (2) "Adult entertainment establishment" means the
127 following terms as defined:

128 (b) "Adult theater" means an enclosed building or an
129 enclosed space within a building used for presenting either
130 films, live plays, dances, or other performances that are
131 distinguished or characterized by an emphasis on matter
132 depicting, describing, or relating to specific sexual activities
133 for observation by patrons, and which restricts or purports to
134 restrict admission only to adults, or any business that features
135 a person who engages in specific sexual activities for
136 observation by a patron, and which restricts or purports to
137 restrict admission to only adults.

138 Section 4. This act shall take effect July 1, 2019.