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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/04/2020	.	
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The Committee on Criminal Justice (Stewart) recommended the following:

**Senate Amendment (with title amendment)**

Delete everything after the enacting clause  
and insert:

Section 1. Section 800.03, Florida Statutes, is amended to  
read:

800.03 Exposure of sexual organs.—

(1) It is unlawful to expose or exhibit one's sexual organs  
in public or on the private premises of another, or so near  
thereto as to be seen from such private premises, in a vulgar or



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11 ~~indecent manner, or to be naked in public except in any place~~  
12 ~~provided or set apart for that purpose.~~

13 (2) (a) Except as provided in paragraph (b), a violation of  
14 this section is a misdemeanor of the first degree, punishable as  
15 provided in s. 775.082 or s. 775.083.

16 (b) A second or subsequent violation of this section is a  
17 felony of the third degree, punishable as provided in s.  
18 775.082, s. 775.083, or s. 775.084.

19 (3) The exposure of sexual organs by any of the following  
20 does not violate subsection (1):

21 (a) A mother's breastfeeding of her baby;

22 (b) An individual who is merely naked at any place provided  
23 or set apart for that purpose, including, but not limited to, a  
24 clothing-optional beach; or

25 (c) An inmate incarcerated at a state correctional  
26 institution or local detention facility does not under any  
27 circumstance violate this section.

28 Section 2. Subsection (9) of section 901.15, Florida  
29 Statutes, is amended to read

30 901.15 When arrest by officer without warrant is lawful.—A  
31 law enforcement officer may arrest a person without a warrant  
32 when:

33 (9) There is probable cause to believe that the person has  
34 committed:

35 (a) Any battery upon another person, as defined in s.  
36 784.03.

37 (b) An act of criminal mischief or a graffiti-related  
38 offense as described in s. 806.13.

39 (c) A violation of a safety zone, security zone, regulated



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40 navigation area, or naval vessel protection zone as described in  
41 s. 327.461.

42 (d) A racing violation as described in s. 316.191(2).

43 (e) An exposure of sexual organs in violation of s. 800.03.

44 Section 3. This act shall take effect October 1, 2020.

45

46 ===== T I T L E A M E N D M E N T =====

47 And the title is amended as follows:

48 Delete everything before the enacting clause

49 and insert:

50 A bill to be entitled

51 An act relating to exposure of sexual organs; amending  
52 s. 800.03; increasing criminal penalties for exposure  
53 of sexual organs for a second or subsequent offense;  
54 providing exceptions; amending s. 901.15, F.S.;  
55 authorizing warrantless arrests when a law enforcement  
56 officer has probable cause to believe that a person  
57 has violated s. 800.03, F.S.; providing an effective  
58 date.