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LEGISLATIVE ACTION

Senate

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House

Floor: 1/AD/2R

03/06/2020 06:27 PM

Senator Stewart moved 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) A person commits unlawful exposure of sexual organs by:

(a) Exposing or exhibiting his or her ~~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



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12 from such private premises, in a vulgar or indecent manner;~~or~~
13 ~~to be~~

14 (b) Being naked in public in a vulgar or indecent manner
15 ~~except in any place provided or set apart for that purpose.~~

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

19 (b) A second or subsequent violation of this section is a
20 felony of the third degree, punishable as provided in s.
21 775.082, s. 775.083, or s. 775.084.

22 (3) The exposure of sexual organs by any of the following
23 does not violate this section:

24 (a) A mother ~~mother's~~ breastfeeding of her baby; or ~~does~~
25 ~~not under any circumstance violate this section~~

26 (b) An individual who is merely naked at any place provided
27 or set apart for that purpose.

28 Section 2. Paragraph (e) is added to subsection (9) of
29 section 901.15, Florida Statutes, 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 (e) An exposure of sexual organs in violation of s. 800.03.

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

37
38 ===== T I T L E A M E N D M E N T =====

39 And the title is amended as follows:

40 Delete everything before the enacting clause



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41 and insert:

42 A bill to be entitled
43 An act relating to exposure of sexual organs; amending
44 s. 800.03, F.S.; increasing criminal penalties for
45 exposure of sexual organs for a second or subsequent
46 offense; providing an exception to the unlawful
47 exposure of sexual organs; amending s. 901.15, F.S.;
48 authorizing warrantless arrests when a law enforcement
49 officer has probable cause to believe that a person
50 has violated s. 800.03, F.S.; providing an effective
51 date.