

1 A bill to be entitled
 2 An act relating to exposure of sexual organs; amending
 3 s. 800.03, F.S.; increasing criminal penalties for
 4 exposure of sexual organs for a second or subsequent
 5 offense; amending s. 901.15, F.S.; authorizing
 6 warrantless arrests when a law enforcement officer has
 7 probable cause to believe that a person has violated
 8 s. 800.03, F.S.; providing an effective date.

9
 10 Be It Enacted by the Legislature of the State of Florida:

11
 12 Section 1. Section 800.03, Florida Statutes, is amended to
 13 read:

14 800.03 Exposure of sexual organs.—

15 (1) A person commits unlawful exposure of sexual organs
 16 by:

17 (a) Exposing or exhibiting his or her ~~It is unlawful to~~
 18 ~~expose or exhibit one's~~ sexual organs in public or on the
 19 private premises of another, or so near thereto as to be seen
 20 from such private premises, in a vulgar or indecent manner;7 or
 21 ~~to be~~

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

24 (2) (a) Except as provided in paragraph (b), a violation of
 25 this section is a misdemeanor of the first degree, punishable as

26 | provided in s. 775.082 or s. 775.083.

27 | (b) A second or subsequent violation of this section is a
 28 | felony of the third degree, punishable as provided in s.
 29 | 775.082, s. 775.083, or s. 775.084.

30 | (3) The exposure of sexual organs by any of the following
 31 | does not violate this section:

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

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

36 | Section 2. Paragraph (e) is added to subsection (9) of
 37 | section 901.15, Florida Statutes, to read:

38 | 901.15 When arrest by officer without warrant is lawful.—A
 39 | law enforcement officer may arrest a person without a warrant
 40 | when:

41 | (9) There is probable cause to believe that the person has
 42 | committed:

43 | (e) An exposure of sexual organs in violation of s.
 44 | 800.03.

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