

ENROLLED

CS/HB 675

2020 Legislature

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

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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.