

By Senator Pizzo

38-00732A-21

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1                   A bill to be entitled  
2       An act relating to clothing-optional locations;  
3       amending s. 800.03, F.S.; specifying that an exception  
4       to the commission of the offense of unlawful exposure  
5       of sexual organs includes clothing-optional beaches;  
6       requiring the Division of Recreation and Parks of the  
7       Department of Environmental Protection to amend a  
8       specified rule to comply with this act; providing an  
9       effective date.

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

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

15       800.03 Exposure of sexual organs.—

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

17       (a) Exposing or exhibiting his or her sexual organs in  
18 public or on the private premises of another, or so near thereto  
19 as to be seen from such private premises, in a vulgar or  
20 indecent manner; or

21       (b) Being naked in public in a vulgar or indecent manner.

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

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

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

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30 (a) A mother breastfeeding her baby; or

31 (b) An individual who is merely naked at any place provided  
32 or set apart for that purpose, including, but not limited to, a  
33 clothing-optional beach.

34 Section 2. By October 1, 2021, the Division of Recreation  
35 and Parks of the Department of Environmental Protection shall  
36 amend Rule 62D-2.014(7)(b), Florida Administrative Code, to  
37 comply with this act.

38 Section 3. This act shall take effect July 1, 2021.