

Amendment No.1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Criminal Justice & Public
 2 Safety Subcommittee

3 Representative Grieco offered the following:

4

5 **Amendment (with directory amendment)**

6 Remove lines 22-80 and insert:

7 (3) Any person who knowingly and willfully commits any of
 8 the following acts commits a felony of the third degree,
 9 punishable as provided in s. 775.082, s. 775.083, or s. 775.084:

10 (a) Baiting, breeding, training, transporting, selling,
 11 owning, possessing, or using any wild or domestic animal for the
 12 purpose of animal fighting or baiting;

13 (b) Owning, possessing, or selling equipment for use in any
 14 activity described in paragraph (a);

15 (c) Owning, leasing, managing, operating, or having control
 16 of any property kept or used for any activity described in

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17 paragraph (a) or paragraph (b);

18 (d) Promoting, staging, advertising, or charging any
19 admission fee to a fight or baiting between two or more animals;

20 (e) Performing any service or act to facilitate animal
21 fighting or baiting, including, but not limited to, providing
22 security, refereeing, or handling or transporting animals or
23 being a stakeholder of any money wagered on animal fighting or
24 baiting;

25 (f) Removing or facilitating the removal of any animal
26 impounded under this section from an agency where the animal is
27 impounded or from a location designated by the court under
28 subsection (4), subsection (5), or subsection (7), without the
29 prior authorization of the court;

30 (g) Betting or wagering any money or other valuable
31 consideration on the fighting or baiting of animals; ~~or~~

32 (h) Attending the fighting or baiting of animals; or

33 (i) Causing or allowing a person who has not attained 18
34 years of age to attend the fighting or baiting of animals.

35
36 Notwithstanding any provision of this subsection to the
37 contrary, possession of the animal alone does not constitute a
38 violation of this section.

39 Section 2. Section 828.126, Florida Statutes, is amended
40 to read:

41 828.126 Sexual activities involving animals.—

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42 (1) As used in this section, the term:

43 (a) "Animal husbandry" includes the day-to-day care of,
44 selective breeding of, and raising of livestock that are
45 commonly defined as domesticated animals or animals raised for
46 agricultural purposes that are located on land that is used for
47 bona fide agricultural purposes, as defined in s. 193.461(3)(b).

48 ~~(a) "Sexual conduct" means any touching or fondling by a~~
49 ~~person, either directly or through clothing, of the sex organs~~
50 ~~or anus of an animal or any transfer or transmission of semen by~~
51 ~~the person upon any part of the animal for the purpose of sexual~~
52 ~~gratification or arousal of the person.~~

53 (b) "Sexual contact with an animal" means any act
54 committed between a person and an animal for the purpose of
55 sexual gratification, abuse, or financial gain that involves:

56 1. Contact between the sex organ or anus of one and the
57 mouth, sex organ, or anus of the other;

58 2. The fondling of the sex organ or anus of an animal; or

59 3. The insertion, however slight, of any part of the body
60 of a person or any object into the vaginal or anal opening of an
61 animal, or the insertion of any part of the body of an animal
62 into the vaginal or anal opening of a person ~~contact, however~~
63 ~~slight, between the mouth, sex organ, or anus of a person and~~
64 ~~the sex organ or anus of an animal, or any penetration, however~~
65 ~~slight, of any part of the body of the person into the sex organ~~
66 ~~or anus of an animal, or any penetration of the sex organ or~~

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67 ~~anus of the person into the mouth of the animal, for the purpose~~
68 ~~of sexual gratification or sexual arousal of the person.~~

69 (2) A person may not:

70 (a) Knowingly engage in any ~~sexual conduct or~~ sexual
71 contact with an animal;

72 (b) Knowingly cause, aid, or abet another person to engage
73 in any ~~sexual conduct or~~ sexual contact with an animal;

74 (c) Knowingly permit any ~~sexual conduct or~~ sexual contact
75 with an animal to be conducted on any premises under his or her
76 charge or control; ~~or~~

77 (d) Knowingly organize, promote, conduct, ~~advertise,~~ aid,
78 abet, participate in as an observer, or advertise, offer,
79 solicit, or accept an offer of an animal for the purpose of
80 sexual contact with such animal, or perform any service in the
81 furtherance of an act involving any ~~sexual conduct or~~ sexual
82 contact with an animal; or for a commercial or recreational
83 purpose

84 (e) Knowingly film, distribute, or possess any
85 pornographic image or video of a person and an animal engaged in
86 any of the

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89 **D I R E C T O R Y A M E N D M E N T**

90 Remove lines 18-20 and insert:

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91 Section 1. Subsection (3) of section 828.122, Florida
92 Statutes, is amended, to read: