

By the Committee on Criminal Justice; and Senator Grall

591-02641-24

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1 A bill to be entitled
2 An act relating to prostitution and related acts;
3 creating s. 796.011, F.S.; defining and redefining
4 terms; creating s. 796.031, F.S.; prohibiting adults
5 from offering to commit, committing, or engaging in
6 prostitution, lewdness, or assignation; providing
7 criminal penalties; providing that specified testimony
8 concerning reputation is admissible in evidence in the
9 trial of persons charged with certain offenses;
10 requiring a court to order that a person sentenced for
11 certain violations attend an educational program;
12 authorizing judicial circuits to establish certain
13 educational programs; repealing s. 796.04, F.S.,
14 relating to forcing, compelling, or coercing another
15 to become a prostitute; amending s. 796.06, F.S.;
16 prohibiting the owning, establishing, maintaining,
17 operating, using, letting, or renting of a building,
18 residence, place, or structure, in whole or in part,
19 or a trailer or any other conveyance, with knowledge
20 or reckless disregard that it will be used for the
21 purpose of commercial sex; prohibiting the receiving,
22 or offering or agreeing to receive, a person into a
23 building, residence, place, or structure, or a trailer
24 or any other conveyance, for the purpose of commercial
25 sexual activity or to allow a person to remain there
26 for such purpose; providing criminal penalties;
27 providing enhanced criminal penalties for second or
28 subsequent violations; providing that specified
29 testimony concerning reputation is admissible in

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30 evidence in the trial of persons charged with certain
31 offenses; requiring the reclassification of offenses
32 under specified circumstances; amending s. 796.07,
33 F.S.; deleting definitions; prohibiting a person from
34 providing, or offering to provide, something of value
35 in exchange for sexual activity; deleting prohibited
36 acts relating to prostitution and related acts;
37 deleting a provision authorizing a police officer to
38 testify under certain circumstances; providing
39 criminal penalties; providing enhanced criminal
40 penalties for second or subsequent violations;
41 deleting a provision requiring the offering of
42 admission into certain programs; requiring a court to
43 order that certain defendants perform community
44 service, pay for and attend an educational program,
45 pay a civil penalty, and receive sexually transmitted
46 disease testing; providing requirements for the
47 proceeds of the civil penalty; deleting a minimum
48 mandatory period of incarceration for the commission
49 of a certain offense; deleting obsolete provisions;
50 conforming provisions to changes made by the act;
51 amending ss. 60.05, 322.28, 397.4073, 397.417, 435.07,
52 456.074, 480.041, 480.043, 480.046, 772.102, 787.01,
53 787.02, 794.056, 796.08, 796.09, 893.138, 895.02, and
54 938.085, F.S.; conforming provisions to changes made
55 by the act; conforming cross-references; providing an
56 effective date.

57
58 Be It Enacted by the Legislature of the State of Florida:

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Section 1. Section 796.011, Florida Statutes, is created to read:

796.011 Definitions.—As used in this chapter, the term:

(1) "Adult" means an individual 18 years of age or older.

(2) "Assignment" means the making of any appointment or engagement for prostitution or lewdness, or any act in furtherance of such appointment or engagement.

(3) "Commercial sex" means engaging in sexual activity in exchange for something of value. The term includes prostitution and human trafficking.

(4) "Female genitals" includes the labia minora, labia majora, clitoris, vulva, hymen, and vagina.

(5) "Lewdness" means any indecent or obscene act.

(6) "Prostitution" means voluntarily engaging in, agreeing to engage in, or offering to engage in commercial sex.

(7) "Sexual activity" means oral, anal, or female genital penetration by, or union with, the sexual organ of another; anal or female genital penetration of another by any other object; or the handling or fondling of the sexual organ of another for the purpose of masturbation. The term does not include acts done for bona fide medical purposes.

Section 2. Section 796.031, Florida Statutes, is created to read:

796.031 Prostitution, lewdness, and assignment prohibited; penalties.—

(1) It is unlawful for an adult to offer to commit, to commit, or to engage in prostitution, lewdness, or assignment.

(2) In the trial of a person charged with a violation of

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88 this section, testimony concerning the reputation of any place,
89 structure, building, or conveyance involved in the charge;
90 testimony concerning the reputation of any person residing in,
91 operating, or frequenting such place, structure, building or
92 conveyance; and testimony concerning the reputation of the
93 defendant is admissible in evidence in support of the charge.

94 (3) (a) A person who violates this section commits a
95 misdemeanor of the second degree, punishable as provided in s.
96 775.082 or s. 775.083.

97 (b) In addition to any other penalty imposed, the court
98 shall order a person sentenced for a violation of this section
99 to attend an educational program about the negative effects of
100 commercial sex. The educational program may be offered by a
101 secular or faith-based provider.

102 (c) A judicial circuit may establish an educational program
103 for persons convicted of or charged with a violation of this
104 section, to include education on:

105 1. The relationship between demand for commercial sex and
106 human trafficking;

107 2. The impact of human trafficking on victims;

108 3. Coercion, consent, and sexual violence;

109 4. The health and legal consequences of commercial sex;

110 5. The negative impact of commercial sex on prostituted
111 persons and the community; and

112 6. The reasons and motivations for engaging in
113 prostitution.

114 Section 3. Section 796.04, Florida Statutes, is repealed.

115 Section 4. Section 796.06, Florida Statutes, is amended to
116 read:

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117 796.06 Maintaining ~~Renting~~ space to be used for commercial
118 sex lewdness, assignation, or prostitution.-

119 (1) It is unlawful to:

120 (a) Own, establish, maintain, operate, use, let, or rent a
121 building, residence, any place, or structure, in whole or in or
122 part thereof, or a trailer or any other conveyance, with the
123 knowledge or reckless disregard that it will be used for the
124 purpose of commercial sex lewdness, assignation, or
125 prostitution.

126 (b) Receive, or to offer or agree to receive, a person into
127 a building, residence, place, or structure, or a trailer or any
128 other conveyance, for the purpose of commercial sexual activity
129 or to allow a person to remain there for such purpose.

130 (2) A person who violates this section commits:

131 (a) A felony misdemeanor of the third ~~first~~ degree for a
132 first violation, punishable as provided in s. 775.082 or s.
133 775.083.

134 (b) A felony of the second ~~third~~ degree for a second or
135 subsequent violation, punishable as provided in s. 775.082, s.
136 775.083, or s. 775.084.

137 (3) In the trial of a person charged with a violation of
138 this section, testimony concerning the reputation of any place,
139 structure, building, or conveyance involved in the charge;
140 testimony concerning the reputation of any person residing in,
141 operating, or frequenting such place, structure, building, or
142 conveyance; and testimony concerning the reputation of the
143 defendant is admissible in evidence in support of the charge.

144 (4) If such building, residence, place, structure, or
145 trailer or any other conveyance that is owned, established,

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146 maintained, or operated is a massage establishment that is or
147 should be licensed under s. 480.043, the offense must be
148 reclassified to the next higher degree as follows:

149 (a) A felony of the third degree is reclassified as a
150 felony of the second degree, punishable as provided in s.
151 775.082, s. 775.083, or s. 775.084.

152 (b) A felony of the second degree is reclassified as a
153 felony of the first degree, punishable as provided in s.
154 775.082, s. 775.083, or s. 775.084.

155 (c) A felony of the first degree is reclassified as a
156 felony of the first degree punishable by life in prison,
157 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

158 Section 5. Section 796.07, Florida Statutes, is amended to
159 read:

160 796.07 Prohibiting prostitution and related acts.—

161 (1) ~~As used in this section:~~

162 ~~(a) "Assignment" means the making of any appointment or~~
163 ~~engagement for prostitution or lewdness, or any act in~~
164 ~~furtherance of such appointment or engagement.~~

165 ~~(b) "Female genitals" includes the labia minora, labia~~
166 ~~majora, clitoris, vulva, hymen, and vagina.~~

167 ~~(c) "Lewdness" means any indecent or obscene act.~~

168 ~~(d) "Prostitution" means the giving or receiving of the~~
169 ~~body for sexual activity for hire but excludes sexual activity~~
170 ~~between spouses.~~

171 ~~(e) "Sexual activity" means oral, anal, or female genital~~
172 ~~penetration by, or union with, the sexual organ of another; anal~~
173 ~~or female genital penetration of another by any other object; or~~
174 ~~the handling or fondling of the sexual organ of another for the~~

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175 ~~purpose of masturbation; however, the term does not include acts~~
176 ~~done for bona fide medical purposes.~~

177 ~~(2) It is unlawful for a person:~~

178 ~~(a) to provide, or offer to provide, something of value in~~
179 ~~exchange for sexual activity ~~own, establish, maintain, or~~~~
180 ~~operate any place, structure, building, or conveyance for the~~
181 ~~purpose of lewdness, assignation, or prostitution.~~

182 ~~(b) To offer, or to offer or agree to secure, another for~~
183 ~~the purpose of prostitution or for any other lewd or indecent~~
184 ~~act.~~

185 ~~(c) To receive, or to offer or agree to receive, any person~~
186 ~~into any place, structure, building, or conveyance for the~~
187 ~~purpose of prostitution, lewdness, or assignation, or to permit~~
188 ~~any person to remain there for such purpose.~~

189 ~~(d) To direct, take, or transport, or to offer or agree to~~
190 ~~direct, take, or transport, any person to any place, structure,~~
191 ~~or building, or to any other person, with knowledge or~~
192 ~~reasonable cause to believe that the purpose of such directing,~~
193 ~~taking, or transporting is prostitution, lewdness, or~~
194 ~~assignation.~~

195 ~~(e) For a person 18 years of age or older to offer to~~
196 ~~commit, or to commit, or to engage in, prostitution, lewdness,~~
197 ~~or assignation.~~

198 ~~(f) To solicit, induce, entice, or procure another to~~
199 ~~commit prostitution, lewdness, or assignation.~~

200 ~~(g) To reside in, enter, or remain in, any place,~~
201 ~~structure, or building, or to enter or remain in any conveyance,~~
202 ~~for the purpose of prostitution, lewdness, or assignation.~~

203 ~~(h) To aid, abet, or participate in any of the acts or~~

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204 ~~things enumerated in this subsection.~~

205 ~~(i) To purchase the services of any person engaged in~~
206 ~~prostitution.~~

207 ~~(2)(3)(a)~~ In the trial of a person charged with a violation
208 of this section, testimony concerning the reputation of any
209 place, structure, building, or conveyance involved in the
210 charge, testimony concerning the reputation of any person
211 residing in, operating, or frequenting such place, structure,
212 building, or conveyance, and testimony concerning the reputation
213 of the defendant is admissible in evidence in support of the
214 charge.

215 ~~(b) Notwithstanding any other provision of law, a police~~
216 ~~officer may testify as an offended party in an action regarding~~
217 ~~charges filed pursuant to this section.~~

218 ~~(3)(a)(4)(a)~~ A person who violates any provision of this
219 section, ~~other than paragraph (2)(f)~~, commits:

220 1. A felony ~~misdemeanor~~ of the third ~~second~~ degree for a
221 first violation, punishable as provided in s. 775.082 or s.
222 775.083.

223 2. A felony ~~misdemeanor~~ of the second ~~first~~ degree for a
224 second violation, punishable as provided in s. 775.082 or s.
225 775.083.

226 3. A felony of the first ~~third~~ degree for a third or
227 subsequent violation, punishable as provided in s. 775.082, s.
228 775.083, or s. 775.084.

229 ~~(b) A person who is charged with a third or subsequent~~
230 ~~violation of this section, other than paragraph (2)(f), shall be~~
231 ~~offered admission to a pretrial intervention program or a~~
232 ~~substance abuse treatment program as provided in s. 948.08.~~

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233 ~~(5)(a) A person who violates paragraph (2)(f) commits:~~

234 ~~1. A misdemeanor of the first degree for a first violation,~~
235 ~~punishable as provided in s. 775.082 or s. 775.083.~~

236 ~~2. A felony of the third degree for a second violation,~~
237 ~~punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

238 ~~3. A felony of the second degree for a third or subsequent~~
239 ~~violation, punishable as provided in s. 775.082, s. 775.083, or~~
240 ~~s. 775.084.~~

241 (b) In addition to any other penalty imposed, if a
242 violation of this section results in any judicial disposition
243 other than acquittal or dismissal, the court must ~~shall~~ order
244 the defendant a person convicted of a violation of paragraph
245 ~~(2)(f) to:~~

246 1. Perform 100 hours of community service;~~-~~

247 2. Pay for and attend an educational program, which may be
248 offered by a secular or faith-based provider, on the negative
249 effects of commercial sexual activity; as described in
250 subsection (8), if such a program exists in the judicial circuit
251 in which the offender is sentenced

252 3. Pay a civil penalty of \$5,000. Of the proceeds from each
253 penalty assessed under this subparagraph, the first \$500 must be
254 paid to the circuit court administrator for the sole purpose of
255 paying the administrative costs of treatment-based drug court
256 programs provided under s. 397.334. The remainder of the penalty
257 assessed must be deposited in the Operations and Maintenance
258 Trust Fund of the Department of Children and Families for the
259 sole purpose of funding safe houses and safe foster homes as
260 provided in s. 409.1678; and

261 4. Receive sexually transmitted disease testing at a

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262 recognized medical facility.

263 (c) A judicial circuit may establish an educational program
264 for persons convicted of or charged with a violation of this
265 section, to include education on:

266 1. The relationship between demand for commercial sex and
267 human trafficking;

268 2. The impact of human trafficking on victims;

269 3. Coercion, consent, and sexual violence;

270 4. The health and legal consequences of commercial sex;

271 5. The negative impact of commercial sex on prostituted
272 persons and the community; and

273 6. The reasons and motivations for engaging in prostitution
274 ~~In addition to any other penalty imposed, the court shall~~
275 ~~sentence a person convicted of a second or subsequent violation~~
276 ~~of paragraph (2)(f) to a minimum mandatory period of~~
277 ~~incarceration of 10 days.~~

278 (d)1. If a person who violates this section ~~paragraph~~
279 ~~(2)(f)~~ uses a vehicle in the course of the violation, the judge,
280 upon the person's conviction, may issue an order for the
281 impoundment or immobilization of the vehicle for a period of up
282 to 60 days. The order of impoundment or immobilization must
283 include the names and telephone numbers of all immobilization
284 agencies meeting all of the conditions of s. 316.193(13). Within
285 7 business days after the date that the court issues the order
286 of impoundment or immobilization, the clerk of the court must
287 send notice by certified mail, return receipt requested, to the
288 registered owner of the vehicle, if the registered owner is a
289 person other than the defendant, and to each person of record
290 claiming a lien against the vehicle.

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291 2. The owner of the vehicle may request the court to
292 dismiss the order. The court must dismiss the order, and the
293 owner of the vehicle will incur no costs, if the owner of the
294 vehicle alleges and the court finds to be true any of the
295 following:

296 a. The owner's family has no other private or public means
297 of transportation;

298 b. The vehicle was stolen at the time of the offense;

299 c. The owner purchased the vehicle after the offense was
300 committed, and the sale was not made to circumvent the order and
301 allow the defendant continued access to the vehicle; or

302 d. The vehicle is owned by the defendant but is operated
303 solely by employees of the defendant or employees of a business
304 owned by the defendant.

305 3. If the court denies the request to dismiss the order,
306 the petitioner may request an evidentiary hearing. If, at the
307 evidentiary hearing, the court finds to be true any of the
308 circumstances described in sub-subparagraphs 2.a.-d. ~~sub-~~
309 ~~subparagraphs (d)2.a.-d.~~, the court must dismiss the order and
310 the owner of the vehicle will incur no costs.

311 ~~(e) The Soliciting for Prostitution Public Database created~~
312 ~~pursuant to s. 943.0433 must include the criminal history record~~
313 ~~of a person who is found guilty as a result of a trial or who~~
314 ~~enters a plea of guilty or nolo contendere, regardless of~~
315 ~~whether adjudication is withheld, of paragraph (2) (f), and there~~
316 ~~is evidence that such person provided a form of payment or~~
317 ~~arranged for the payment of such services. Upon conviction, the~~
318 ~~clerk of the court shall forward the criminal history record of~~
319 ~~the person to the Department of Law Enforcement, pursuant to s.~~

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320 ~~943.052(2), for inclusion in the database. This paragraph shall~~
321 ~~stand repealed on January 1, 2024, unless reviewed and saved~~
322 ~~from repeal by the Legislature.~~

323 ~~(6) A person who violates paragraph (2)(f) shall be~~
324 ~~assessed a civil penalty of \$5,000 if the violation results in~~
325 ~~any judicial disposition other than acquittal or dismissal. Of~~
326 ~~the proceeds from each penalty assessed under this subsection,~~
327 ~~the first \$500 shall be paid to the circuit court administrator~~
328 ~~for the sole purpose of paying the administrative costs of~~
329 ~~treatment-based drug court programs provided under s. 397.334.~~
330 ~~The remainder of the penalty assessed shall be deposited in the~~
331 ~~Operations and Maintenance Trust Fund of the Department of~~
332 ~~Children and Families for the sole purpose of funding safe~~
333 ~~houses and safe foster homes as provided in s. 409.1678.~~

334 ~~(7) If the place, structure, building, or conveyance that~~
335 ~~is owned, established, maintained, or operated in violation of~~
336 ~~paragraph (2)(a) is a massage establishment that is or should be~~
337 ~~licensed under s. 480.043, the offense shall be reclassified to~~
338 ~~the next higher degree as follows:~~

339 ~~(a) A misdemeanor of the second degree for a first~~
340 ~~violation is reclassified as a misdemeanor of the first degree,~~
341 ~~punishable as provided in s. 775.082 or s. 775.083.~~

342 ~~(b) A misdemeanor of the first degree for a second~~
343 ~~violation is reclassified as a felony of the third degree,~~
344 ~~punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

345 ~~(c) A felony of the third degree for a third or subsequent~~
346 ~~violation is reclassified as a felony of the second degree,~~
347 ~~punishable as provided in s. 775.082, s. 775.083, or s. 775.084.~~

348 ~~(8)(a) A judicial circuit may establish an educational~~

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349 ~~program for persons convicted of or charged with a violation of~~
350 ~~paragraph (2)(f), to include education on:~~

351 ~~1. The relationship between demand for commercial sex and~~
352 ~~human trafficking.~~

353 ~~2. The impact of human trafficking on victims.~~

354 ~~3. Coercion, consent, and sexual violence.~~

355 ~~4. The health and legal consequences of commercial sex.~~

356 ~~5. The negative impact of commercial sex on prostituted~~
357 ~~persons and the community.~~

358 ~~6. The reasons and motivations for engaging in~~
359 ~~prostitution.~~

360 ~~(b) An educational program may include a program offered by~~
361 ~~a faith-based provider.~~

362 Section 6. Subsection (5) of section 60.05, Florida
363 Statutes, is amended to read:

364 60.05 Abatement of nuisances.—

365 (5) On trial if the existence of a nuisance is shown, the
366 court shall issue a permanent injunction and order the costs to
367 be paid by the persons establishing or maintaining the nuisance
368 and shall adjudge that the costs are a lien on all personal
369 property found in the place of the nuisance and on the failure
370 of the property to bring enough to pay the costs, then on the
371 real estate occupied by the nuisance. A lien may not attach to
372 the real estate of any other than such persons unless a second
373 written notice has been given in accordance with paragraph
374 (3)(a) to the owner or his or her agent who fails to begin to
375 abate the nuisance within the time specified therein. In a
376 proceeding abating a nuisance pursuant to s. 823.10 or s.
377 823.05, if a tenant has been convicted of an offense under

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378 chapter 893, s. 796.06, or s. 796.07, the court may order the
379 tenant to vacate the property within 72 hours if the tenant and
380 owner of the premises are parties to the nuisance abatement
381 action and the order will lead to the abatement of the nuisance.

382 Section 7. Subsection (7) of section 322.28, Florida
383 Statutes, is amended to read:

384 322.28 Period of suspension or revocation.—

385 (7) Following a second or subsequent violation of s.
386 796.07(1) ~~s. 796.07(2)(f)~~ which involves a motor vehicle and
387 which results in any judicial disposition other than acquittal
388 or dismissal, in addition to any other sentence imposed, the
389 court shall revoke the person's driver license or driving
390 privilege, effective upon the date of the disposition, for a
391 period of at least 1 year. A person sentenced under this
392 subsection may request a hearing under s. 322.271.

393 Section 8. Paragraph (b) of subsection (4) of section
394 397.4073, Florida Statutes, is amended to read:

395 397.4073 Background checks of service provider personnel.—

396 (4) EXEMPTIONS FROM DISQUALIFICATION.—

397 (b) For service providers that treat adolescents 13 years
398 of age and older, service provider personnel whose background
399 checks indicate crimes under s. 796.07(1) ~~s. 796.07(2)(e)~~, s.
400 810.02(4), s. 812.014(2)(c), s. 817.563, s. 831.01, s. 831.02,
401 s. 893.13, or s. 893.147, and any related criminal attempt,
402 solicitation, or conspiracy under s. 777.04:

403 1. Shall be exempted from disqualification from employment
404 for such offenses pursuant to this paragraph if:

405 a. At least 5 years, or at least 3 years in the case of an
406 individual seeking certification as a peer specialist under s.

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407 397.417, have elapsed since the applicant requesting an
408 exemption has completed or has been lawfully released from any
409 confinement, supervision, or nonmonetary condition imposed by a
410 court for the applicant's most recent disqualifying offense
411 under this paragraph.

412 b. The applicant for an exemption has not been arrested for
413 any offense during the 5 years, or 3 years in the case of a peer
414 specialist, before the request for exemption.

415 2. May be exempted from disqualification from employment
416 for such offenses without a waiting period as provided under s.
417 435.07(2).

418 Section 9. Paragraph (e) of subsection (4) of section
419 397.417, Florida Statutes, is amended to read:

420 397.417 Peer specialists.—

421 (4) BACKGROUND SCREENING.—

422 (e) The background screening conducted under this
423 subsection must ensure that a peer specialist has not been
424 arrested for and is awaiting final disposition of, found guilty
425 of, regardless of adjudication, or entered a plea of nolo
426 contendere or guilty to, or been adjudicated delinquent and the
427 record has not been sealed or expunged for, any offense
428 prohibited under any of the following state laws or similar laws
429 of another jurisdiction:

430 1. Section 393.135, relating to sexual misconduct with
431 certain developmentally disabled clients and reporting of such
432 sexual misconduct.

433 2. Section 394.4593, relating to sexual misconduct with
434 certain mental health patients and reporting of such sexual
435 misconduct.

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436 3. Section 409.920, relating to Medicaid provider fraud, if
437 the offense was a felony of the first or second degree.

438 4. Section 415.111, relating to abuse, neglect, or
439 exploitation of vulnerable adults.

440 5. Any offense that constitutes domestic violence as
441 defined in s. 741.28.

442 6. Section 777.04, relating to attempts, solicitation, and
443 conspiracy to commit an offense listed in this paragraph.

444 7. Section 782.04, relating to murder.

445 8. Section 782.07, relating to manslaughter; aggravated
446 manslaughter of an elderly person or a disabled adult;
447 aggravated manslaughter of a child; or aggravated manslaughter
448 of an officer, a firefighter, an emergency medical technician,
449 or a paramedic.

450 9. Section 782.071, relating to vehicular homicide.

451 10. Section 782.09, relating to killing an unborn child by
452 injury to the mother.

453 11. Chapter 784, relating to assault, battery, and culpable
454 negligence, if the offense was a felony.

455 12. Section 787.01, relating to kidnapping.

456 13. Section 787.02, relating to false imprisonment.

457 14. Section 787.025, relating to luring or enticing a
458 child.

459 15. Section 787.04(2), relating to leading, taking,
460 enticing, or removing a minor beyond state limits, or concealing
461 the location of a minor, with criminal intent pending custody
462 proceedings.

463 16. Section 787.04(3), relating to leading, taking,
464 enticing, or removing a minor beyond state limits, or concealing

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465 the location of a minor, with criminal intent pending dependency
466 proceedings or proceedings concerning alleged abuse or neglect
467 of a minor.

468 17. Section 790.115(1), relating to exhibiting firearms or
469 weapons within 1,000 feet of a school.

470 18. Section 790.115(2)(b), relating to possessing an
471 electric weapon or device, a destructive device, or any other
472 weapon on school property.

473 19. Section 794.011, relating to sexual battery.

474 20. Former s. 794.041, relating to prohibited acts of
475 persons in familial or custodial authority.

476 21. Section 794.05, relating to unlawful sexual activity
477 with certain minors.

478 22. Section 794.08, relating to female genital mutilation.

479 23. Section 796.07, relating to providing, or offering to
480 provide, something of value in exchange for sexual activity
481 ~~procuring another to commit prostitution~~, except for those
482 offenses expunged pursuant to s. 943.0583.

483 24. Section 798.02, relating to lewd and lascivious
484 behavior.

485 25. Chapter 800, relating to lewdness and indecent
486 exposure.

487 26. Section 806.01, relating to arson.

488 27. Section 810.02, relating to burglary, if the offense
489 was a felony of the first degree.

490 28. Section 810.14, relating to voyeurism, if the offense
491 was a felony.

492 29. Section 810.145, relating to video voyeurism, if the
493 offense was a felony.

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- 494 30. Section 812.13, relating to robbery.
- 495 31. Section 812.131, relating to robbery by sudden
496 snatching.
- 497 32. Section 812.133, relating to carjacking.
- 498 33. Section 812.135, relating to home-invasion robbery.
- 499 34. Section 817.034, relating to communications fraud, if
500 the offense was a felony of the first degree.
- 501 35. Section 817.234, relating to false and fraudulent
502 insurance claims, if the offense was a felony of the first or
503 second degree.
- 504 36. Section 817.50, relating to fraudulently obtaining
505 goods or services from a health care provider and false reports
506 of a communicable disease.
- 507 37. Section 817.505, relating to patient brokering.
- 508 38. Section 817.568, relating to fraudulent use of personal
509 identification, if the offense was a felony of the first or
510 second degree.
- 511 39. Section 825.102, relating to abuse, aggravated abuse,
512 or neglect of an elderly person or a disabled adult.
- 513 40. Section 825.1025, relating to lewd or lascivious
514 offenses committed upon or in the presence of an elderly person
515 or a disabled person.
- 516 41. Section 825.103, relating to exploitation of an elderly
517 person or a disabled adult, if the offense was a felony.
- 518 42. Section 826.04, relating to incest.
- 519 43. Section 827.03, relating to child abuse, aggravated
520 child abuse, or neglect of a child.
- 521 44. Section 827.04, relating to contributing to the
522 delinquency or dependency of a child.

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- 523 45. Former s. 827.05, relating to negligent treatment of
524 children.
- 525 46. Section 827.071, relating to sexual performance by a
526 child.
- 527 47. Section 831.30, relating to fraud in obtaining
528 medicinal drugs.
- 529 48. Section 831.31, relating to the sale; manufacture;
530 delivery; or possession with intent to sell, manufacture, or
531 deliver of any counterfeit controlled substance, if the offense
532 was a felony.
- 533 49. Section 843.01, relating to resisting arrest with
534 violence.
- 535 50. Section 843.025, relating to depriving a law
536 enforcement, correctional, or correctional probation officer of
537 the means of protection or communication.
- 538 51. Section 843.12, relating to aiding in an escape.
- 539 52. Section 843.13, relating to aiding in the escape of
540 juvenile inmates of correctional institutions.
- 541 53. Chapter 847, relating to obscenity.
- 542 54. Section 874.05, relating to encouraging or recruiting
543 another to join a criminal gang.
- 544 55. Chapter 893, relating to drug abuse prevention and
545 control, if the offense was a felony of the second degree or
546 greater severity.
- 547 56. Section 895.03, relating to racketeering and collection
548 of unlawful debts.
- 549 57. Section 896.101, relating to the Florida Money
550 Laundering Act.
- 551 58. Section 916.1075, relating to sexual misconduct with

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552 certain forensic clients and reporting of such sexual
553 misconduct.

554 59. Section 944.35(3), relating to inflicting cruel or
555 inhuman treatment on an inmate resulting in great bodily harm.

556 60. Section 944.40, relating to escape.

557 61. Section 944.46, relating to harboring, concealing, or
558 aiding an escaped prisoner.

559 62. Section 944.47, relating to introduction of contraband
560 into a correctional institution.

561 63. Section 985.701, relating to sexual misconduct in
562 juvenile justice programs.

563 64. Section 985.711, relating to introduction of contraband
564 into a detention facility.

565 Section 10. Subsection (2) of section 435.07, Florida
566 Statutes, is amended to read:

567 435.07 Exemptions from disqualification.—Unless otherwise
568 provided by law, the provisions of this section apply to
569 exemptions from disqualification for disqualifying offenses
570 revealed pursuant to background screenings required under this
571 chapter, regardless of whether those disqualifying offenses are
572 listed in this chapter or other laws.

573 (2) Persons employed, or applicants for employment, by
574 treatment providers who treat adolescents 13 years of age and
575 older who are disqualified from employment solely because of
576 crimes under s. 796.07(1) ~~s. 796.07(2)(e)~~, s. 810.02(4), s.
577 812.014(2)(c), s. 817.563, s. 831.01, s. 831.02, s. 893.13, or
578 s. 893.147, or any related criminal attempt, solicitation, or
579 conspiracy under s. 777.04, may be exempted from
580 disqualification from employment pursuant to this chapter

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581 without application of the waiting period in subparagraph
582 (1) (a) 1.

583 Section 11. Subsection (4) and paragraphs (o) and (q) of
584 subsection (5) of section 456.074, Florida Statutes, are amended
585 to read:

586 456.074 Certain health care practitioners; immediate
587 suspension of license.—

588 (4) The department shall issue an emergency order
589 suspending the license of a massage therapist or establishment
590 as defined in chapter 480 upon receipt of information that the
591 massage therapist, a person with an ownership interest in the
592 establishment, or, for a corporation that has more than \$250,000
593 of business assets in this state, the owner, officer, or
594 individual directly involved in the management of the
595 establishment has been convicted or found guilty of, or has
596 entered a plea of guilty or nolo contendere to, regardless of
597 adjudication, a violation of s. 796.06(1) that ~~s. 796.07(2)(a)~~
598 ~~which~~ is reclassified under s. 796.06(4) ~~s. 796.07(7)~~ or a
599 felony offense under any of the following provisions of state
600 law or a similar provision in another jurisdiction:

601 (a) Section 787.01, relating to kidnapping.

602 (b) Section 787.02, relating to false imprisonment.

603 (c) Section 787.025, relating to luring or enticing a
604 child.

605 (d) Section 787.06, relating to human trafficking.

606 (e) Section 787.07, relating to human smuggling.

607 (f) Section 794.011, relating to sexual battery.

608 (g) Section 794.08, relating to female genital mutilation.

609 (h) Former s. 796.03, relating to procuring a person under

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610 the age of 18 for prostitution.

611 (i) Former s. 796.035, relating to the selling or buying of
612 minors into prostitution.

613 (j) Former s. 796.04 ~~section 796.04~~, relating to forcing,
614 compelling, or coercing another to become a prostitute.

615 (k) Section 796.05, relating to deriving support from the
616 proceeds of prostitution.

617 (l) Section 796.07(3)(a)3. ~~Section 796.07(4)(a)3.~~, relating
618 to a felony of the first ~~third~~ degree for a third or subsequent
619 violation of s. 796.07, relating to prohibiting prostitution and
620 related acts.

621 (m) Section 800.04, relating to lewd or lascivious offenses
622 committed upon or in the presence of persons less than 16 years
623 of age.

624 (n) Section 825.1025(2)(b), relating to lewd or lascivious
625 offenses committed upon or in the presence of an elderly or
626 disabled person.

627 (o) Section 827.071, relating to sexual performance by a
628 child.

629 (p) Section 847.0133, relating to the protection of minors.

630 (q) Section 847.0135, relating to computer pornography.

631 (r) Section 847.0138, relating to the transmission of
632 material harmful to minors to a minor by electronic device or
633 equipment.

634 (s) Section 847.0145, relating to the selling or buying of
635 minors.

636 (5) The department shall issue an emergency order
637 suspending the license of any health care practitioner who is
638 arrested for committing or attempting, soliciting, or conspiring

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639 to commit any act that would constitute a violation of any of
640 the following criminal offenses in this state or similar
641 offenses in another jurisdiction:

642 (o) Former s. 796.04 ~~section 796.04~~, relating to forcing,
643 compelling, or coercing another to become a prostitute.

644 (q) Section 796.07(3)(a)3. ~~Section 796.07(4)(a)3.~~, relating
645 to a felony of the first ~~third~~ degree for a third or subsequent
646 violation of s. 796.07, relating to prohibiting prostitution and
647 related acts.

648 Section 12. Subsection (7) of section 480.041, Florida
649 Statutes, is amended to read:

650 480.041 Massage therapists; qualifications; licensure;
651 endorsement.—

652 (7) The board shall deny an application for a new or
653 renewal license if an applicant has been convicted or found
654 guilty of, or enters a plea of guilty or nolo contendere to,
655 regardless of adjudication, a violation of s. 796.06(1) ~~s.~~
656 ~~796.07(2)(a)~~ which is reclassified under s. 796.06(4) ~~s.~~
657 ~~796.07(7)~~ or a felony offense under any of the following
658 provisions of state law or a similar provision in another
659 jurisdiction:

660 (a) Section 787.01, relating to kidnapping.

661 (b) Section 787.02, relating to false imprisonment.

662 (c) Section 787.025, relating to luring or enticing a
663 child.

664 (d) Section 787.06, relating to human trafficking.

665 (e) Section 787.07, relating to human smuggling.

666 (f) Section 794.011, relating to sexual battery.

667 (g) Section 794.08, relating to female genital mutilation.

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668 (h) Former s. 796.03, relating to procuring a person under
669 the age of 18 for prostitution.

670 (i) Former s. 796.035, relating to the selling or buying of
671 minors into prostitution.

672 (j) Former s. 796.04 ~~section 796.04~~, relating to forcing,
673 compelling, or coercing another to become a prostitute.

674 (k) Section 796.05, relating to deriving support from the
675 proceeds of prostitution.

676 (l) Section 796.07(3)(a)3. ~~Section 796.07(4)(a)3.~~, relating
677 to a felony of the first ~~third~~ degree for a third or subsequent
678 violation of s. 796.07, relating to prohibiting prostitution and
679 related acts.

680 (m) Section 800.04, relating to lewd or lascivious offenses
681 committed upon or in the presence of persons less than 16 years
682 of age.

683 (n) Section 825.1025(2)(b), relating to lewd or lascivious
684 offenses committed upon or in the presence of an elderly or
685 disabled person.

686 (o) Section 827.071, relating to sexual performance by a
687 child.

688 (p) Section 847.0133, relating to the protection of minors.

689 (q) Section 847.0135, relating to computer pornography.

690 (r) Section 847.0138, relating to the transmission of
691 material harmful to minors to a minor by electronic device or
692 equipment.

693 (s) Section 847.0145, relating to the selling or buying of
694 minors.

695 Section 13. Subsection (8) of section 480.043, Florida
696 Statutes, is amended to read:

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697 480.043 Massage establishments; requisites; licensure;
698 inspection; human trafficking awareness training and policies.-

699 (8) The department shall deny an application for a new or
700 renewal license if an establishment owner or a designated
701 establishment manager or, for a corporation that has more than
702 \$250,000 of business assets in this state, an establishment
703 owner, a designated establishment manager, or any individual
704 directly involved in the management of the establishment has
705 been convicted of or entered a plea of guilty or nolo contendere
706 to any misdemeanor or felony crime, regardless of adjudication,
707 related to prostitution or related acts as described in s.
708 796.06 or s. 796.07 or a felony offense under any of the
709 following provisions of state law or a similar provision in
710 another jurisdiction:

711 (a) Section 787.01, relating to kidnapping.

712 (b) Section 787.02, relating to false imprisonment.

713 (c) Section 787.025, relating to luring or enticing a
714 child.

715 (d) Section 787.06, relating to human trafficking.

716 (e) Section 787.07, relating to human smuggling.

717 (f) Section 794.011, relating to sexual battery.

718 (g) Section 794.08, relating to female genital mutilation.

719 (h) Former s. 796.03, relating to procuring a person under
720 the age of 18 for prostitution.

721 (i) Former s. 796.035, relating to selling or buying of
722 minors into prostitution.

723 (j) Former s. 796.04 ~~section 796.04~~, relating to forcing,
724 compelling, or coercing another to become a prostitute.

725 (k) Section 796.05, relating to deriving support from the

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726 proceeds of prostitution.

727 (l) Section 800.04, relating to lewd or lascivious offenses
728 committed upon or in the presence of persons less than 16 years
729 of age.

730 (m) Section 825.1025(2)(b), relating to lewd or lascivious
731 offenses committed upon or in the presence of an elderly or
732 disabled person.

733 (n) Section 827.071, relating to sexual performance by a
734 child.

735 (o) Section 847.0133, relating to the protection of minors.

736 (p) Section 847.0135, relating to computer pornography.

737 (q) Section 847.0138, relating to the transmission of
738 material harmful to minors to a minor by electronic device or
739 equipment.

740 (r) Section 847.0145, relating to the selling or buying of
741 minors.

742 Section 14. Paragraph (c) of subsection (3) of section
743 480.046, Florida Statutes, is amended to read:

744 480.046 Grounds for disciplinary action by the board.—

745 (3) The board shall revoke or suspend the license of a
746 massage establishment licensed under this act, or deny
747 subsequent licensure of such an establishment, if any of the
748 following occurs:

749 (c) The establishment owner, the designated establishment
750 manager, or any individual providing massage therapy services
751 for the establishment has had the entry in any jurisdiction of:

752 1. A final order or other disciplinary action taken for
753 sexual misconduct involving prostitution;

754 2. A final order or other disciplinary action taken for

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755 crimes related to the practice of massage therapy involving
756 prostitution; or

757 3. A conviction or a plea of guilty or nolo contendere to
758 any misdemeanor or felony crime, regardless of adjudication,
759 related to prostitution or related acts as described in s.
760 796.06 or s. 796.07.

761 Section 15. Paragraph (a) of subsection (1) of section
762 772.102, Florida Statutes, is amended to read:

763 772.102 Definitions.—As used in this chapter, the term:

764 (1) "Criminal activity" means to commit, to attempt to
765 commit, to conspire to commit, or to solicit, coerce, or
766 intimidate another person to commit:

767 (a) Any crime that is chargeable by indictment or
768 information under the following provisions:

769 1. Section 210.18, relating to evasion of payment of
770 cigarette taxes.

771 2. Section 414.39, relating to public assistance fraud.

772 3. Section 440.105 or s. 440.106, relating to workers'
773 compensation.

774 4. Part IV of chapter 501, relating to telemarketing.

775 5. Chapter 517, relating to securities transactions.

776 6. Section 550.235 or s. 550.3551, relating to dogracing
777 and horseracing.

778 7. Chapter 550, relating to jai alai frontons.

779 8. Chapter 552, relating to the manufacture, distribution,
780 and use of explosives.

781 9. Chapter 562, relating to beverage law enforcement.

782 10. Section 624.401, relating to transacting insurance
783 without a certificate of authority, s. 624.437(4)(c)1., relating

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784 to operating an unauthorized multiple-employer welfare
785 arrangement, or s. 626.902(1)(b), relating to representing or
786 aiding an unauthorized insurer.

787 11. Chapter 687, relating to interest and usurious
788 practices.

789 12. Section 721.08, s. 721.09, or s. 721.13, relating to
790 real estate timeshare plans.

791 13. Chapter 782, relating to homicide.

792 14. Chapter 784, relating to assault and battery.

793 15. Chapter 787, relating to kidnapping or human
794 trafficking.

795 16. Chapter 790, relating to weapons and firearms.

796 17. Former s. 796.03, former s. 796.04, s. 796.05, s.
797 796.06, or s. 796.07, relating to prostitution.

798 18. Chapter 806, relating to arson.

799 19. Section 810.02(2)(c), relating to specified burglary of
800 a dwelling or structure.

801 20. Chapter 812, relating to theft, robbery, and related
802 crimes.

803 21. Chapter 815, relating to computer-related crimes.

804 22. Chapter 817, relating to fraudulent practices, false
805 pretenses, fraud generally, and credit card crimes.

806 23. Section 827.071, relating to commercial sexual
807 exploitation of children.

808 24. Chapter 831, relating to forgery and counterfeiting.

809 25. Chapter 832, relating to issuance of worthless checks
810 and drafts.

811 26. Section 836.05, relating to extortion.

812 27. Chapter 837, relating to perjury.

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813 28. Chapter 838, relating to bribery and misuse of public
814 office.

815 29. Chapter 843, relating to obstruction of justice.

816 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
817 s. 847.07, relating to obscene literature and profanity.

818 31. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
819 849.25, relating to gambling.

820 32. Chapter 893, relating to drug abuse prevention and
821 control.

822 33. Section 914.22 or s. 914.23, relating to witnesses,
823 victims, or informants.

824 34. Section 918.12 or s. 918.13, relating to tampering with
825 jurors and evidence.

826 Section 16. Paragraph (a) of subsection (3) of section
827 787.01, Florida Statutes, is amended to read:

828 787.01 Kidnapping; kidnapping of child under age 13,
829 aggravating circumstances.—

830 (3) (a) A person who commits the offense of kidnapping upon
831 a child under the age of 13 and who, in the course of committing
832 the offense, commits one or more of the following:

833 1. Aggravated child abuse, as defined in s. 827.03;

834 2. Sexual battery, as defined in chapter 794, against the
835 child;

836 3. Lewd or lascivious battery, lewd or lascivious
837 molestation, lewd or lascivious conduct, or lewd or lascivious
838 exhibition, in violation of s. 800.04 or s. 847.0135(5);

839 4. A violation of former s. 796.03 or former s. 796.04,
840 relating to prostitution, upon the child;

841 5. Exploitation of the child or allowing the child to be

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842 exploited, in violation of s. 450.151; or

843 6. A violation of s. 787.06(3)(g), relating to human
844 trafficking,

845
846 commits a life felony, punishable as provided in s. 775.082, s.
847 775.083, or s. 775.084.

848 Section 17. Paragraph (a) of subsection (3) of section
849 787.02, Florida Statutes, is amended to read:

850 787.02 False imprisonment; false imprisonment of child
851 under age 13, aggravating circumstances.—

852 (3)(a) A person who commits the offense of false
853 imprisonment upon a child under the age of 13 and who, in the
854 course of committing the offense, commits any offense enumerated
855 in subparagraphs 1.-6. ~~subparagraphs 1.-5.~~, commits a felony of
856 the first degree, punishable by imprisonment for a term of years
857 not exceeding life or as provided in s. 775.082, s. 775.083, or
858 s. 775.084.

859 1. Aggravated child abuse, as defined in s. 827.03;

860 2. Sexual battery, as defined in chapter 794, against the
861 child;

862 3. Lewd or lascivious battery, lewd or lascivious
863 molestation, lewd or lascivious conduct, or lewd or lascivious
864 exhibition, in violation of s. 800.04 or s. 847.0135(5);

865 4. A violation of former s. 796.03 or former s. 796.04,
866 relating to prostitution, upon the child;

867 5. Exploitation of the child or allowing the child to be
868 exploited, in violation of s. 450.151; or

869 6. A violation of s. 787.06(3)(g) relating to human
870 trafficking.

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871 Section 18. Subsection (1) of section 794.056, Florida
872 Statutes, is amended to read:

873 794.056 Rape Crisis Program Trust Fund.—

874 (1) The Rape Crisis Program Trust Fund is created within
875 the Department of Health for the purpose of providing funds for
876 rape crisis centers in this state. Trust fund moneys shall be
877 used exclusively for the purpose of providing services for
878 victims of sexual assault. Funds credited to the trust fund
879 consist of those funds collected as an additional court
880 assessment in each case in which a defendant pleads guilty or
881 nolo contendere to, or is found guilty of, regardless of
882 adjudication, an offense provided in s. 775.21(6) and (10)(a),
883 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
884 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
885 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
886 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;
887 former s. 796.03; former s. 796.035; former s. 796.04; s.
888 796.05; s. 796.06; s. 796.07(1) ~~s. 796.07(2)(a)–(d) and (i)~~; s.
889 800.03; s. 800.04; s. 810.14; s. 810.145; s. 812.135; s.
890 817.025; s. 825.102; s. 825.1025; s. 827.071; s. 836.10; s.
891 847.0133; s. 847.0135(2); s. 847.0137; s. 847.0145; s.
892 943.0435(4)(c), (7), (8), (9)(a), (13), and (14)(c); or s.
893 985.701(1). Funds credited to the trust fund also shall include
894 revenues provided by law, moneys appropriated by the
895 Legislature, and grants from public or private entities.

896 Section 19. Subsection (3) of section 796.08, Florida
897 Statutes, is amended to read:

898 796.08 Screening for HIV and sexually transmissible
899 diseases; providing penalties.—

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900 (3) A person convicted under s. 796.07 of providing, or
901 offering to provide, something of value in exchange for sexual
902 activity ~~prostitution or procuring another to commit~~
903 ~~prostitution~~ must undergo screening for a sexually transmissible
904 disease, including, but not limited to, screening to detect
905 exposure to the human immunodeficiency virus, under direction of
906 the Department of Health. If the person is infected, he or she
907 must submit to treatment and counseling prior to release from
908 probation, community control, or incarceration. Notwithstanding
909 the provisions of s. 384.29, the results of tests conducted
910 pursuant to this subsection shall be made available by the
911 Department of Health to the offender, medical personnel,
912 appropriate state agencies, state attorneys, and courts of
913 appropriate jurisdiction in need of such information in order to
914 enforce the provisions of this chapter.

915 Section 20. Subsection (2) of section 796.09, Florida
916 Statutes, is amended to read:

917 796.09 Coercion; civil cause of action; evidence; defenses;
918 attorney's fees.—

919 (2) As used in this section, the term "prostitution" has
920 the same meaning as in s. 796.011 ~~s. 796.07~~.

921 Section 21. Subsection (2) of section 893.138, Florida
922 Statutes, is amended to read:

923 893.138 Local administrative action to abate certain
924 activities declared public nuisances.—

925 (2) Any place or premises that has been used:

926 (a) On more than two occasions within a 6-month period, as
927 the site of a violation of s. 796.06 or s. 796.07;

928 (b) On more than two occasions within a 6-month period, as

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929 the site of the unlawful sale, delivery, manufacture, or
930 cultivation of any controlled substance;

931 (c) On one occasion as the site of the unlawful possession
932 of a controlled substance, where such possession constitutes a
933 felony and that has been previously used on more than one
934 occasion as the site of the unlawful sale, delivery,
935 manufacture, or cultivation of any controlled substance;

936 (d) By a criminal gang for the purpose of conducting
937 criminal gang activity as defined by s. 874.03;

938 (e) On more than two occasions within a 6-month period, as
939 the site of a violation of s. 812.019 relating to dealing in
940 stolen property;

941 (f) On two or more occasions within a 6-month period, as
942 the site of a violation of chapter 499; or

943 (g) On more than two occasions within a 6-month period, as
944 the site of a violation of any combination of the following:

- 945 1. Section 782.04, relating to murder;
946 2. Section 782.051, relating to attempted felony murder;
947 3. Section 784.045(1)(a)2., relating to aggravated battery
948 with a deadly weapon; or
949 4. Section 784.021(1)(a), relating to aggravated assault
950 with a deadly weapon without intent to kill,

951
952 may be declared to be a public nuisance, and such nuisance may
953 be abated pursuant to the procedures provided in this section.

954 Section 22. Paragraph (a) of subsection (8) of section
955 895.02, Florida Statutes, is amended to read:

956 895.02 Definitions.—As used in ss. 895.01-895.08, the term:

957 (8) "Racketeering activity" means to commit, to attempt to

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958 commit, to conspire to commit, or to solicit, coerce, or
959 intimidate another person to commit:

960 (a) Any crime that is chargeable by petition, indictment,
961 or information under the following provisions of the Florida
962 Statutes:

963 1. Section 210.18, relating to evasion of payment of
964 cigarette taxes.

965 2. Section 316.1935, relating to fleeing or attempting to
966 elude a law enforcement officer and aggravated fleeing or
967 eluding.

968 3. Chapter 379, relating to the illegal sale, purchase,
969 collection, harvest, capture, or possession of wild animal life,
970 freshwater aquatic life, or marine life, and related crimes.

971 4. Section 403.727(3)(b), relating to environmental
972 control.

973 5. Section 409.920 or s. 409.9201, relating to Medicaid
974 fraud.

975 6. Section 414.39, relating to public assistance fraud.

976 7. Section 440.105 or s. 440.106, relating to workers'
977 compensation.

978 8. Section 443.071(4), relating to creation of a fictitious
979 employer scheme to commit reemployment assistance fraud.

980 9. Section 465.0161, relating to distribution of medicinal
981 drugs without a permit as an Internet pharmacy.

982 10. Section 499.0051, relating to crimes involving
983 contraband, adulterated, or misbranded drugs.

984 11. Part IV of chapter 501, relating to telemarketing.

985 12. Chapter 517, relating to sale of securities and
986 investor protection.

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987 13. Section 550.235 or s. 550.3551, relating to dogracing
988 and horseracing.

989 14. Chapter 550, relating to jai alai frontons.

990 15. Section 551.109, relating to slot machine gaming.

991 16. Chapter 552, relating to the manufacture, distribution,
992 and use of explosives.

993 17. Chapter 560, relating to money transmitters, if the
994 violation is punishable as a felony.

995 18. Chapter 562, relating to beverage law enforcement.

996 19. Section 624.401, relating to transacting insurance
997 without a certificate of authority, s. 624.437(4)(c)1., relating
998 to operating an unauthorized multiple-employer welfare
999 arrangement, or s. 626.902(1)(b), relating to representing or
1000 aiding an unauthorized insurer.

1001 20. Section 655.50, relating to reports of currency
1002 transactions, when such violation is punishable as a felony.

1003 21. Chapter 687, relating to interest and usurious
1004 practices.

1005 22. Section 721.08, s. 721.09, or s. 721.13, relating to
1006 real estate timeshare plans.

1007 23. Section 775.13(5)(b), relating to registration of
1008 persons found to have committed any offense for the purpose of
1009 benefiting, promoting, or furthering the interests of a criminal
1010 gang.

1011 24. Section 777.03, relating to commission of crimes by
1012 accessories after the fact.

1013 25. Chapter 782, relating to homicide.

1014 26. Chapter 784, relating to assault and battery.

1015 27. Chapter 787, relating to kidnapping, human smuggling,

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1016 or human trafficking.

1017 28. Chapter 790, relating to weapons and firearms.

1018 29. Chapter 794, relating to sexual battery, but only if
1019 such crime was committed with the intent to benefit, promote, or
1020 further the interests of a criminal gang, or for the purpose of
1021 increasing a criminal gang member's own standing or position
1022 within a criminal gang.

1023 30. Former s. 796.03, former s. 796.035, former s. 796.04,
1024 s. 796.05, s. 796.06, or s. 796.07, relating to prostitution.

1025 31. Chapter 806, relating to arson and criminal mischief.

1026 32. Chapter 810, relating to burglary and trespass.

1027 33. Chapter 812, relating to theft, robbery, and related
1028 crimes.

1029 34. Chapter 815, relating to computer-related crimes.

1030 35. Chapter 817, relating to fraudulent practices, false
1031 pretenses, fraud generally, credit card crimes, and patient
1032 brokering.

1033 36. Chapter 825, relating to abuse, neglect, or
1034 exploitation of an elderly person or disabled adult.

1035 37. Section 827.071, relating to commercial sexual
1036 exploitation of children.

1037 38. Section 828.122, relating to fighting or baiting
1038 animals.

1039 39. Chapter 831, relating to forgery and counterfeiting.

1040 40. Chapter 832, relating to issuance of worthless checks
1041 and drafts.

1042 41. Section 836.05, relating to extortion.

1043 42. Chapter 837, relating to perjury.

1044 43. Chapter 838, relating to bribery and misuse of public

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1045 office.

1046 44. Chapter 843, relating to obstruction of justice.

1047 45. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
1048 s. 847.07, relating to obscene literature and profanity.

1049 46. Chapter 849, relating to gambling, lottery, gambling or
1050 gaming devices, slot machines, or any of the provisions within
1051 that chapter.

1052 47. Chapter 874, relating to criminal gangs.

1053 48. Chapter 893, relating to drug abuse prevention and
1054 control.

1055 49. Chapter 896, relating to offenses related to financial
1056 transactions.

1057 50. Sections 914.22 and 914.23, relating to tampering with
1058 or harassing a witness, victim, or informant, and retaliation
1059 against a witness, victim, or informant.

1060 51. Sections 918.12 and 918.13, relating to tampering with
1061 jurors and evidence.

1062 Section 23. Section 938.085, Florida Statutes, is amended
1063 to read:

1064 938.085 Additional cost to fund rape crisis centers.—In
1065 addition to any sanction imposed when a person pleads guilty or
1066 nolo contendere to, or is found guilty of, regardless of
1067 adjudication, a violation of s. 775.21(6) and (10)(a), (b), and
1068 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
1069 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.
1070 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
1071 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.
1072 796.03; former s. 796.035; former s. 796.04; s. 796.05; s.
1073 796.06; s. 796.07(1) ~~s. 796.07(2)(a) (d) and (i)~~; s. 800.03; s.

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1074 800.04; s. 810.14; s. 810.145; s. 812.135; s. 817.025; s.
1075 825.102; s. 825.1025; s. 827.071; s. 836.10; s. 847.0133; s.
1076 847.0135(2); s. 847.0137; s. 847.0145; s. 943.0435(4)(c), (7),
1077 (8), (9)(a), (13), and (14)(c); or s. 985.701(1), the court
1078 shall impose a surcharge of \$151. Payment of the surcharge shall
1079 be a condition of probation, community control, or any other
1080 court-ordered supervision. The sum of \$150 of the surcharge
1081 shall be deposited into the Rape Crisis Program Trust Fund
1082 established within the Department of Health by chapter 2003-140,
1083 Laws of Florida. The clerk of the court shall retain \$1 of each
1084 surcharge that the clerk of the court collects as a service
1085 charge of the clerk's office.

1086 Section 24. This act shall take effect October 1, 2024.