



193322

LEGISLATIVE ACTION

Senate	.	House
Comm: RS	.	
03/25/2025	.	
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The Committee on Criminal Justice (Grall) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 68 - 349  
and insert:  
exchange for something of value. The term includes prostitution.

(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.



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

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

19       796.031 Prostitution, lewdness, and assignation prohibited;  
20 penalties.—

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

23       (2) In the trial of a person charged with a violation of  
24 this section, testimony concerning the reputation of any place,  
25 structure, building, or conveyance involved in the charge;  
26 testimony concerning the reputation of any person residing in,  
27 operating, or frequenting such place, structure, building, or  
28 conveyance; and testimony concerning the reputation of the  
29 defendant is admissible in evidence in support of the charge.

30       (3) (a) A person who violates this section commits a  
31 misdemeanor of the second degree, punishable as provided in s.  
32 775.082 or s. 775.083.

33       (b) In addition to any other penalty imposed, the court  
34 shall order a person sentenced for a violation of this section  
35 to attend an educational program about the negative effects of  
36 commercial sex and human trafficking. The educational program  
37 may be offered by a secular or faith-based provider.

38       (c) A judicial circuit may establish an educational program  
39 for persons convicted of or charged with a violation of this



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section, to include education on:

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

2. The impact of human trafficking on victims;

3. Coercion, consent, and sexual violence;

4. The health and legal consequences of commercial sex;

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

6. The reasons and motivations for engaging in prostitution.

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

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

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

(1) It is unlawful for a person to:

(a) Own, establish, maintain, operate, use, let, or rent a building, residence, any place, or structure, in whole or in part thereof, or a trailer or any other conveyance, when such person knows, or should have known, with the knowledge that it will be used for the purpose of commercial sex lewdness, assignation, or prostitution.

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

(2) A person who violates this section commits:

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



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775.083.

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

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

(4) If such building, residence, place, structure, or trailer or any other conveyance that is owned, established, maintained, or operated is a massage establishment that is or should be licensed under s. 480.043, the offense must be reclassified to the next higher degree, as follows:

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

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

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

796.07 Prohibiting prostitution and related acts.—

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

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



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

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

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

~~(e) "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; however, the term does not include acts  
done for bona fide medical purposes.~~

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

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

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

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

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



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127 ~~assignment.~~

128 ~~(e) For a person 18 years of age or older to offer to~~  
129 ~~commit, or to commit, or to engage in, prostitution, lewdness,~~  
130 ~~or assignment.~~

131 ~~(f) To solicit, induce, entice, or procure another to~~  
132 ~~commit prostitution, lewdness, or assignment.~~

133 ~~(g) To reside in, enter, or remain in, any place,~~  
134 ~~structure, or building, or to enter or remain in any conveyance,~~  
135 ~~for the purpose of prostitution, lewdness, or assignment.~~

136 ~~(h) To aid, abet, or participate in any of the acts or~~  
137 ~~things enumerated in this subsection.~~

138 ~~(i) To purchase the services of any person engaged in~~  
139 ~~prostitution.~~

140 ~~(2)(3)(a)~~ In the trial of a person charged with a violation  
141 of this section, testimony concerning the reputation of any  
142 place, structure, building, or conveyance involved in the  
143 charge, testimony concerning the reputation of any person  
144 residing in, operating, or frequenting such place, structure,  
145 building, or conveyance, and testimony concerning the reputation  
146 of the defendant is admissible in evidence in support of the  
147 charge.

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

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

153 1. A felony ~~misdemeanor~~ of the third ~~second~~ degree for a  
154 first violation, punishable as provided in s. 775.082 or s.  
155 775.083.



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

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

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

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

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

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

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

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

1. Perform 100 hours of community service;;

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



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185       3. Pay a civil penalty of \$5,000. Of the proceeds from each  
186 penalty assessed under this subparagraph, the first \$500 must be  
187 paid to the circuit court administrator for the sole purpose of  
188 paying the administrative costs of treatment-based drug court  
189 programs provided under s. 397.334. The remainder of the penalty  
190 assessed must be deposited in the Operations and Maintenance  
191 Trust Fund of the Department of Children and Families for the  
192 sole purpose of funding safe houses and safe foster homes as  
193 provided in s. 409.1678; and

194       4. Receive sexually transmitted disease testing at a  
195 recognized medical facility.

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

199       1. The relationship between demand for commercial sex and  
200 human trafficking;

201       2. The impact of human trafficking on victims;

202       3. Coercion, consent, and sexual violence;

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

204       5. The negative impact of commercial sex on prostituted  
205 persons and the community; and

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

211       (d)1. If a person who violates this section ~~paragraph~~  
212 ~~(2)(f)~~ uses a vehicle in the course of the violation, the judge,  
213 upon the person's conviction, may issue an order for the



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impoundment or immobilization of the vehicle for a period of up to 60 days. The order of impoundment or immobilization must include the names and telephone numbers of all immobilization agencies meeting all of the conditions of s. 316.193(13). Within 7 business days after the date that the court issues the order of impoundment or immobilization, the clerk of the court must send notice by certified mail, return receipt requested, to the registered owner of the vehicle, if the registered owner is a person other than the defendant, and to each person of record claiming a lien against the vehicle.

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

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

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

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

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

3. If the court denies the request to dismiss the order, the petitioner may request an evidentiary hearing. If, at the evidentiary hearing, the court finds to be true any of the circumstances described in sub-subparagraphs 2.a.-d. ~~sub-subparagraphs (d) 2.a.-d.~~, the court must dismiss the order and



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the owner of the vehicle will incur no costs.

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

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

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

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

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

~~(8)(a) A judicial circuit may establish an educational program for persons convicted of or charged with a violation of paragraph (2)(f), to include education on:~~



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

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

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

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

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

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

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

Section 6. Paragraph (d) of subsection (3) of section 921.0022, Florida Statutes, is amended to read:

921.0022 Criminal Punishment Code; offense severity ranking chart.—

(3) OFFENSE SEVERITY RANKING CHART

(d) LEVEL 4

Florida Statute	Felony Degree	Description
104.155	3rd	Unqualified noncitizen electors voting; aiding or soliciting noncitizen electors in voting.
316.1935 (3) (a)	2nd	Driving at high speed or with wanton



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			disregard for safety while fleeing or attempting to elude law enforcement officer who is in a patrol vehicle with siren and lights activated.
292	499.0051(1)	3rd	Failure to maintain or deliver transaction history, transaction information, or transaction statements.
293	499.0051(5)	2nd	Knowing sale or delivery, or possession with intent to sell, contraband prescription drugs.
294	517.07(1)	3rd	Failure to register securities.
295	517.12(1)	3rd	Failure of dealer or associated person of a dealer of securities to register.
296	784.031	3rd	Battery by



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297			strangulation.
	784.07 (2) (b)	3rd	Battery of law enforcement officer, firefighter, etc.
298			
	784.074 (1) (c)	3rd	Battery of sexually violent predators facility staff.
299			
	784.075	3rd	Battery on detention or commitment facility staff.
300			
	784.078	3rd	Battery of facility employee by throwing, tossing, or expelling certain fluids or materials.
301			
	784.08 (2) (c)	3rd	Battery on a person 65 years of age or older.
302			
	784.081 (3)	3rd	Battery on specified official or employee.
303			
	784.082 (3)	3rd	Battery by detained person on visitor or other detainee.



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304	784.083 (3)	3rd	Battery on code inspector.
305	784.085	3rd	Battery of child by throwing, tossing, projecting, or expelling certain fluids or materials.
306	787.03 (1)	3rd	Interference with custody; wrongly takes minor from appointed guardian.
307	787.04 (2)	3rd	Take, entice, or remove child beyond state limits with criminal intent pending custody proceedings.
308	787.04 (3)	3rd	Carrying child beyond state lines with criminal intent to avoid producing child at custody hearing or delivering to designated person.
309			



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310	787.07	3rd	Human smuggling.
311	790.115 (1)	3rd	Exhibiting firearm or weapon within 1,000 feet of a school.
312	790.115 (2) (b)	3rd	Possessing electric weapon or device, destructive device, or other weapon on school property.
313	790.115 (2) (c)	3rd	Possessing firearm on school property.
314	794.051 (1)	3rd	Indecent, lewd, or lascivious touching of certain minors.
315	<u>796.07 (3) (a) 2.</u>	<u>3rd</u>	<u>Second violation of prostitution of related acts.</u>
316	800.04 (7) (c)	3rd	Lewd or lascivious exhibition; offender less than 18 years.
	806.135	2nd	Destroying or demolishing a memorial



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317			or historic property.
	810.02 (4) (a)	3rd	Burglary, or attempted burglary, of an unoccupied structure; unarmed; no assault or battery.
318			
	810.02 (4) (b)	3rd	Burglary, or attempted burglary, of an unoccupied conveyance; unarmed; no assault or battery.
319			
	810.06	3rd	Burglary; possession of tools.
320			
	810.08 (2) (c)	3rd	Trespass on property, armed with firearm or dangerous weapon.
321			
	810.145 (3) (b)	3rd	Digital voyeurism dissemination.
322			
	812.014 (2) (c) 3.	3rd	Grand theft, 3rd degree \$10,000 or more but less than \$20,000.
323			
	812.014	3rd	Grand theft, 3rd



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324	(2) (c) 4. & 6.-10.		degree; specified items.
	812.014 (2) (d) 2.	3rd	Grand theft, 3rd degree; \$750 or more taken from dwelling or its unenclosed curtilage.
325			
	812.014 (2) (e) 3.	3rd	Petit theft, 1st degree; less than \$40 taken from dwelling or its unenclosed curtilage with two or more prior theft convictions.
326			
	812.0195 (2)	3rd	Dealing in stolen property by use of the Internet; property stolen \$300 or more.
327			
	817.505 (4) (a)	3rd	Patient brokering.
328			
	817.563 (1)	3rd	Sell or deliver substance other than controlled substance agreed upon, excluding s. 893.03 (5) drugs.



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329	817.568 (2) (a)	3rd	Fraudulent use of personal identification information.
330	817.5695 (3) (c)	3rd	Exploitation of person 65 years of age or older, value less than \$10,000.
331	817.625 (2) (a)	3rd	Fraudulent use of scanning device, skimming device, or reencoder.
332	817.625 (2) (c)	3rd	Possess, sell, or deliver skimming device.
333	828.125 (1)	2nd	Kill, maim, or cause great bodily harm or permanent breeding disability to any registered horse or cattle.
334	836.14 (2)	3rd	Person who commits theft of a sexually explicit image with



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			intent to promote it.
335	836.14 (3)	3rd	Person who willfully possesses a sexually explicit image with certain knowledge, intent, and purpose.
336	837.02 (1)	3rd	Perjury in official proceedings.
337	837.021 (1)	3rd	Make contradictory statements in official proceedings.
338	838.022	3rd	Official misconduct.
339	839.13 (2) (a)	3rd	Falsifying records of an individual in the care and custody of a state agency.
340	839.13 (2) (c)	3rd	Falsifying records of the Department of Children and Families.
341	843.021	3rd	Possession of a concealed handcuff key by a person in custody.



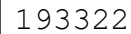
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342	843.025	3rd	Deprive law enforcement, correctional, or correctional probation officer of means of protection or communication.
343	843.15 (1) (a)	3rd	Failure to appear while on bail for felony (bond estreature or bond jumping).
344	843.19 (2)	2nd	Injure, disable, or kill police, fire, or SAR canine or police horse.
345	847.0135 (5) (c)	3rd	Lewd or lascivious exhibition using computer; offender less than 18 years.
346	870.01 (3)	2nd	Aggravated rioting.
347	870.01 (5)	2nd	Aggravated inciting a riot.
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349	874.05 (1) (a)	3rd	Encouraging or recruiting another to join a criminal gang.
350	893.13 (2) (a) 1.	2nd	Purchase of cocaine (or other s. 893.03 (1) (a), (b), or (d), (2) (a), (2) (b), or (2) (c) 5. drugs).
351	914.14 (2)	3rd	Witnesses accepting bribes.
352	914.22 (1)	3rd	Force, threaten, etc., witness, victim, or informant.
353	914.23 (2)	3rd	Retaliation against a witness, victim, or informant, no bodily injury.
354	916.1085 (2) (c) 1.	3rd	Introduction of specified contraband into certain DCF facilities.
355	918.12	3rd	Tampering with jurors.



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361 ===== T I T L E A M E N D M E N T =====

362 And the title is amended as follows:

363	Delete lines 15 - 51
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364 and insert:
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prostitute; amending s. 796.06, F.S.; prohibiting persons from owning, establishing, maintaining, operating, using, letting, or renting a building, residence, place, or structure, in whole or in part, or a trailer or any other conveyance, when such person knows or should have known that it will be used for the purpose of commercial sex; prohibiting the receiving, or offering or agreeing to receive, a person into a building, residence, place, or structure, or a trailer or any other conveyance, for the purpose of commercial sexual activity or to allow a person to remain there for such purpose; providing criminal penalties; providing enhanced criminal penalties for second or subsequent violations; providing that specified testimony concerning reputation is admissible in evidence in the trial of persons charged with certain offenses; requiring the reclassification of offenses under specified circumstances; amending s. 796.07, F.S.; deleting definitions; prohibiting a person from providing, or offering to provide, something of value in exchange for sexual activity; deleting prohibited acts relating to prostitution and related acts; deleting a provision authorizing a police officer to testify under certain circumstances; providing criminal penalties; providing enhanced criminal penalties for second or subsequent violations; deleting a requirement that a person charged with a third or subsequent violation be offered admission into certain programs; requiring a



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court to order that certain defendants perform  
community service, pay for and attend an educational  
program, pay a civil penalty, and receive sexually  
transmitted disease testing; providing requirements  
for the proceeds of the civil penalty; deleting a  
minimum mandatory period of incarceration for the  
commission of a certain offense; conforming provisions  
to changes made by the act; amending s. 921.0022,  
F.S.; ranking on level 4 of the offense severity  
ranking chart a second violation of prostitution or  
related acts; amending ss. 60.05, 322.28, 397.4073,  
397.417,