

By Senator Grall

29-00717-25

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

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30 trial of persons charged with certain offenses;
31 requiring the reclassification of offenses under
32 specified circumstances; amending s. 796.07, F.S.;
33 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 requirement that a person charged with a
42 third or subsequent violation be offered admission
43 into certain programs; requiring a court to order that
44 certain defendants perform community service, pay for
45 and attend an educational program, pay a civil
46 penalty, and receive sexually transmitted disease
47 testing; providing requirements for the proceeds of
48 the civil penalty; deleting a minimum mandatory period
49 of incarceration for the commission of a certain
50 offense; conforming provisions to changes made by the
51 act; amending ss. 60.05, 322.28, 397.4073, 397.417,
52 435.07, 456.074, 480.041, 480.043, 480.046, 772.102,
53 787.01, 787.02, 794.056, 796.08, 796.09, 893.138,
54 895.02, and 938.085, F.S.; conforming provisions to
55 changes made by the act; conforming cross-references;
56 providing an 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 sex or to allow
129 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 ~~(6) A person who violates paragraph (2)(f) shall be~~
312 ~~assessed a civil penalty of \$5,000 if the violation results in~~
313 ~~any judicial disposition other than acquittal or dismissal. Of~~
314 ~~the proceeds from each penalty assessed under this subsection,~~
315 ~~the first \$500 shall be paid to the circuit court administrator~~
316 ~~for the sole purpose of paying the administrative costs of~~
317 ~~treatment-based drug court programs provided under s. 397.334.~~
318 ~~The remainder of the penalty assessed shall be deposited in the~~
319 ~~Operations and Maintenance Trust Fund of the Department of~~

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320 ~~Children and Families for the sole purpose of funding safe~~
321 ~~houses and safe foster homes as provided in s. 409.1678.~~

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

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

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

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

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

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

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

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

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

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

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

348 ~~(b) An educational program may include a program offered by~~

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349 ~~a faith-based provider.~~

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

352 60.05 Abatement of nuisances.—

353 (5) On trial if the existence of a nuisance is shown, the
354 court shall issue a permanent injunction and order the costs to
355 be paid by the persons establishing or maintaining the nuisance
356 and shall adjudge that the costs are a lien on all personal
357 property found in the place of the nuisance and on the failure
358 of the property to bring enough to pay the costs, then on the
359 real estate occupied by the nuisance. A lien may not attach to
360 the real estate of any other than such persons unless a second
361 written notice has been given in accordance with paragraph
362 (3) (a) to the owner or his or her agent who fails to begin to
363 abate the nuisance within the time specified therein. In a
364 proceeding abating a nuisance pursuant to s. 823.10 or s.
365 823.05, if a tenant has been convicted of an offense under
366 chapter 893, s. 796.06, or s. 796.07, the court may order the
367 tenant to vacate the property within 72 hours if the tenant and
368 owner of the premises are parties to the nuisance abatement
369 action and the order will lead to the abatement of the nuisance.

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

372 322.28 Period of suspension or revocation.—

373 (7) Following a second or subsequent violation of s.
374 796.07(1) ~~s. 796.07(2)(f)~~ which involves a motor vehicle and
375 which results in any judicial disposition other than acquittal
376 or dismissal, in addition to any other sentence imposed, the
377 court shall revoke the person's driver license or driving

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378 privilege, effective upon the date of the disposition, for a
379 period of at least 1 year. A person sentenced under this
380 subsection may request a hearing under s. 322.271.

381 Section 8. Paragraph (b) of subsection (4) of section
382 397.4073, Florida Statutes, is amended to read:

383 397.4073 Background checks of service provider personnel.—

384 (4) EXEMPTIONS FROM DISQUALIFICATION.—

385 (b) For service providers that treat adolescents 13 years
386 of age and older, service provider personnel whose background
387 checks indicate crimes under s. 796.07(1) ~~s. 796.07(2)(e)~~, s.
388 810.02(4), s. 812.014(2)(c), s. 817.563, s. 831.01, s. 831.02,
389 s. 893.13, or s. 893.147, and any related criminal attempt,
390 solicitation, or conspiracy under s. 777.04:

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

393 a. At least 5 years, or at least 3 years in the case of an
394 individual seeking certification as a peer specialist under s.
395 397.417, have elapsed since the applicant requesting an
396 exemption has completed or has been lawfully released from any
397 confinement, supervision, or nonmonetary condition imposed by a
398 court for the applicant's most recent disqualifying offense
399 under this paragraph.

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

403 2. May be exempted from disqualification from employment
404 for such offenses without a waiting period as provided under s.
405 435.07(2).

406 Section 9. Paragraph (e) of subsection (4) of section

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407 397.417, Florida Statutes, is amended to read:

408 397.417 Peer specialists.—

409 (4) BACKGROUND SCREENING.—

410 (e) The background screening conducted under this
411 subsection must ensure that a peer specialist has not been
412 arrested for and is awaiting final disposition of, found guilty
413 of, regardless of adjudication, or entered a plea of nolo
414 contendere or guilty to, or been adjudicated delinquent and the
415 record has not been sealed or expunged for, any offense
416 prohibited under any of the following state laws or similar laws
417 of another jurisdiction:

418 1. Section 393.135, relating to sexual misconduct with
419 certain developmentally disabled clients and reporting of such
420 sexual misconduct.

421 2. Section 394.4593, relating to sexual misconduct with
422 certain mental health patients and reporting of such sexual
423 misconduct.

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

426 4. Section 415.111, relating to abuse, neglect, or
427 exploitation of vulnerable adults.

428 5. Any offense that constitutes domestic violence as
429 defined in s. 741.28.

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

432 7. Section 782.04, relating to murder.

433 8. Section 782.07, relating to manslaughter; aggravated
434 manslaughter of an elderly person or a disabled adult;
435 aggravated manslaughter of a child; or aggravated manslaughter

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436 of an officer, a firefighter, an emergency medical technician,
437 or a paramedic.

438 9. Section 782.071, relating to vehicular homicide.

439 10. Section 782.09, relating to killing an unborn child by
440 injury to the mother.

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

443 12. Section 787.01, relating to kidnapping.

444 13. Section 787.02, relating to false imprisonment.

445 14. Section 787.025, relating to luring or enticing a
446 child.

447 15. Section 787.04(2), relating to leading, taking,
448 enticing, or removing a minor beyond state limits, or concealing
449 the location of a minor, with criminal intent pending custody
450 proceedings.

451 16. Section 787.04(3), relating to leading, taking,
452 enticing, or removing a minor beyond state limits, or concealing
453 the location of a minor, with criminal intent pending dependency
454 proceedings or proceedings concerning alleged abuse or neglect
455 of a minor.

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

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

461 19. Section 794.011, relating to sexual battery.

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

464 21. Section 794.05, relating to unlawful sexual activity

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465 with certain minors.

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

467 23. Section 796.07, relating to providing, or offering to
468 provide, something of value in exchange for sexual activity
469 ~~procuring another to commit prostitution~~, except for those
470 offenses expunged pursuant to s. 943.0583.

471 24. Section 798.02, relating to lewd and lascivious
472 behavior.

473 25. Chapter 800, relating to lewdness and indecent
474 exposure.

475 26. Section 806.01, relating to arson.

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

478 28. Section 810.14, relating to voyeurism, if the offense
479 was a felony.

480 29. Section 810.145, relating to digital voyeurism, if the
481 offense was a felony.

482 30. Section 812.13, relating to robbery.

483 31. Section 812.131, relating to robbery by sudden
484 snatching.

485 32. Section 812.133, relating to carjacking.

486 33. Section 812.135, relating to home-invasion robbery.

487 34. Section 817.034, relating to communications fraud, if
488 the offense was a felony of the first degree.

489 35. Section 817.234, relating to false and fraudulent
490 insurance claims, if the offense was a felony of the first or
491 second degree.

492 36. Section 817.50, relating to fraudulently obtaining
493 goods or services from a health care provider and false reports

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494 of a communicable disease.

495 37. Section 817.505, relating to patient brokering.

496 38. Section 817.568, relating to fraudulent use of personal
497 identification, if the offense was a felony of the first or
498 second degree.

499 39. Section 825.102, relating to abuse, aggravated abuse,
500 or neglect of an elderly person or a disabled adult.

501 40. Section 825.1025, relating to lewd or lascivious
502 offenses committed upon or in the presence of an elderly person
503 or a disabled person.

504 41. Section 825.103, relating to exploitation of an elderly
505 person or a disabled adult, if the offense was a felony.

506 42. Section 826.04, relating to incest.

507 43. Section 827.03, relating to child abuse, aggravated
508 child abuse, or neglect of a child.

509 44. Section 827.04, relating to contributing to the
510 delinquency or dependency of a child.

511 45. Former s. 827.05, relating to negligent treatment of
512 children.

513 46. Section 827.071, relating to sexual performance by a
514 child.

515 47. Section 831.30, relating to fraud in obtaining
516 medicinal drugs.

517 48. Section 831.31, relating to the sale; manufacture;
518 delivery; or possession with intent to sell, manufacture, or
519 deliver of any counterfeit controlled substance, if the offense
520 was a felony.

521 49. Section 843.01, relating to resisting arrest with
522 violence.

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- 523 50. Section 843.025, relating to depriving a law
524 enforcement, correctional, or correctional probation officer of
525 the means of protection or communication.
- 526 51. Section 843.12, relating to aiding in an escape.
- 527 52. Section 843.13, relating to aiding in the escape of
528 juvenile inmates of correctional institutions.
- 529 53. Chapter 847, relating to obscenity.
- 530 54. Section 874.05, relating to encouraging or recruiting
531 another to join a criminal gang.
- 532 55. Chapter 893, relating to drug abuse prevention and
533 control, if the offense was a felony of the second degree or
534 greater severity.
- 535 56. Section 895.03, relating to racketeering and collection
536 of unlawful debts.
- 537 57. Section 896.101, relating to the Florida Money
538 Laundering Act.
- 539 58. Section 916.1075, relating to sexual misconduct with
540 certain forensic clients and reporting of such sexual
541 misconduct.
- 542 59. Section 944.35(3), relating to inflicting cruel or
543 inhuman treatment on an inmate resulting in great bodily harm.
- 544 60. Section 944.40, relating to escape.
- 545 61. Section 944.46, relating to harboring, concealing, or
546 aiding an escaped prisoner.
- 547 62. Section 944.47, relating to introduction of contraband
548 into a correctional institution.
- 549 63. Section 985.701, relating to sexual misconduct in
550 juvenile justice programs.
- 551 64. Section 985.711, relating to introduction of contraband

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552 into a detention facility.

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

555 435.07 Exemptions from disqualification.—Unless otherwise
556 provided by law, the provisions of this section apply to
557 exemptions from disqualification for disqualifying offenses
558 revealed pursuant to background screenings required under this
559 chapter, regardless of whether those disqualifying offenses are
560 listed in this chapter or other laws.

561 (2) Persons employed, or applicants for employment, by
562 treatment providers who treat adolescents 13 years of age and
563 older who are disqualified from employment solely because of
564 crimes under s. 796.07(1) ~~s. 796.07(2)(e)~~, s. 810.02(4), s.
565 812.014(2)(c), s. 817.563, s. 831.01, s. 831.02, s. 893.13, or
566 s. 893.147, or any related criminal attempt, solicitation, or
567 conspiracy under s. 777.04, may be exempted from
568 disqualification from employment pursuant to this chapter
569 without application of the waiting period in subparagraph
570 (1)(a)1.

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

574 456.074 Certain health care practitioners; immediate
575 suspension of license.—

576 (4) The department shall issue an emergency order
577 suspending the license of a massage therapist and establishment
578 as those terms are defined in chapter 480 upon receipt of
579 information that the massage therapist; the designated
580 establishment manager as defined in chapter 480; an employee of

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581 the establishment; a person with an ownership interest in the
582 establishment; or, for a corporation that has more than \$250,000
583 of business assets in this state, the owner, officer, or
584 individual directly involved in the management of the
585 establishment has been arrested for committing or attempting,
586 soliciting, or conspiring to commit, or convicted or found
587 guilty of, or has entered a plea of guilty or nolo contendere
588 to, regardless of adjudication, a violation of s. 796.06(1) that
589 is reclassified under s. 796.06(4) ~~s. 796.07~~ or a felony offense
590 under any of the following provisions of state law or a similar
591 provision in another jurisdiction:

592 (a) Section 787.01, relating to kidnapping.

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

594 (c) Section 787.025, relating to luring or enticing a
595 child.

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

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

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

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

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

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

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

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

608 (l) Section 796.07(3)(a)3. ~~Section 796.07(4)(a)3.~~, relating
609 to a felony of the first ~~third~~ degree for a third or subsequent

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610 violation of s. 796.07, relating to prohibiting prostitution and
611 related acts.

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

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

618 (o) Section 827.071, relating to sexual performance by a
619 child.

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

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

622 (r) Section 847.0138, relating to the transmission of
623 material harmful to minors to a minor by electronic device or
624 equipment.

625 (s) Section 847.0145, relating to the selling or buying of
626 minors.

627 (5) The department shall issue an emergency order
628 suspending the license of any health care practitioner who is
629 arrested for committing or attempting, soliciting, or conspiring
630 to commit any act that would constitute a violation of any of
631 the following criminal offenses in this state or similar
632 offenses in another jurisdiction:

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

635 (q) Section 796.07(3)(a)3. ~~Section 796.07(4)(a)3.~~, relating
636 to a felony of the first ~~third~~ degree for a third or subsequent
637 violation of s. 796.07, relating to prohibiting prostitution and
638 related acts.

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639 Section 12. Subsection (6) of section 480.041, Florida
640 Statutes, is amended to read:

641 480.041 Massage therapists; qualifications; licensure;
642 endorsement.—

643 (6) The board shall deny an application for a new or
644 renewal license if an applicant has been convicted or found
645 guilty of, or enters a plea of guilty or nolo contendere to,
646 regardless of adjudication, a violation of s. 796.06(1) ~~s.~~
647 ~~796.07(2)(a)~~ which is reclassified under s. 796.06(4) ~~s.~~
648 ~~796.07(7)~~ or a felony offense under any of the following
649 provisions of state law or a similar provision in another
650 jurisdiction:

651 (a) Section 787.01, relating to kidnapping.

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

653 (c) Section 787.025, relating to luring or enticing a
654 child.

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

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

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

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

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

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

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

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

667 (l) Section 796.07(3)(a)3. ~~Section 796.07(4)(a)3.~~, relating

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668 to a felony of the first ~~third~~ degree for a third or subsequent
669 violation of s. 796.07, relating to prohibiting prostitution and
670 related acts.

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

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

677 (o) Section 827.071, relating to sexual performance by a
678 child.

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

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

681 (r) Section 847.0138, relating to the transmission of
682 material harmful to minors to a minor by electronic device or
683 equipment.

684 (s) Section 847.0145, relating to the selling or buying of
685 minors.

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

688 480.043 Massage establishments; requisites; licensure;
689 inspection; human trafficking awareness training and policies.-

690 (8) The department shall deny an application for a new or
691 renewal license if an establishment owner or a designated
692 establishment manager or, for a corporation that has more than
693 \$250,000 of business assets in this state, an establishment
694 owner, a designated establishment manager, or any individual
695 directly involved in the management of the establishment has
696 been convicted of or entered a plea of guilty or nolo contendere

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697 to any misdemeanor or felony crime, regardless of adjudication,
698 related to prostitution or related acts as described in s.
699 796.06 or s. 796.07 or a felony offense under any of the
700 following provisions of state law or a similar provision in
701 another jurisdiction:

702 (a) Section 787.01, relating to kidnapping.

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

704 (c) Section 787.025, relating to luring or enticing a
705 child.

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

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

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

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

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

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

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

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

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

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

724 (n) Section 827.071, relating to sexual performance by a
725 child.

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

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

728 (q) Section 847.0138, relating to the transmission of
729 material harmful to minors to a minor by electronic device or
730 equipment.

731 (r) Section 847.0145, relating to the selling or buying of
732 minors.

733 Section 14. Paragraph (c) of subsection (3) of section
734 480.046, Florida Statutes, is amended to read:

735 480.046 Grounds for disciplinary action by the board.—

736 (3) The board shall revoke or suspend the license of a
737 massage establishment licensed under this act, or deny
738 subsequent licensure of such an establishment, if any of the
739 following occurs:

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

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

745 2. A final order or other disciplinary action taken for
746 crimes related to the practice of massage therapy involving
747 prostitution; or

748 3. A conviction or a plea of guilty or nolo contendere to
749 any misdemeanor or felony crime, regardless of adjudication,
750 related to prostitution or related acts as described in s.
751 796.06 or s. 796.07.

752 Section 15. Paragraph (a) of subsection (1) of section
753 772.102, Florida Statutes, is amended to read:

754 772.102 Definitions.—As used in this chapter, the term:

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- 755 (1) "Criminal activity" means to commit, to attempt to
756 commit, to conspire to commit, or to solicit, coerce, or
757 intimidate another person to commit:
- 758 (a) Any crime that is chargeable by indictment or
759 information under the following provisions:
- 760 1. Section 210.18, relating to evasion of payment of
761 cigarette taxes.
- 762 2. Section 414.39, relating to public assistance fraud.
- 763 3. Section 440.105 or s. 440.106, relating to workers'
764 compensation.
- 765 4. Part IV of chapter 501, relating to telemarketing.
- 766 5. Chapter 517, relating to securities transactions.
- 767 6. Section 550.235 or s. 550.3551, relating to dogracing
768 and horseracing.
- 769 7. Chapter 550, relating to jai alai frontons.
- 770 8. Chapter 552, relating to the manufacture, distribution,
771 and use of explosives.
- 772 9. Chapter 562, relating to beverage law enforcement.
- 773 10. Section 624.401, relating to transacting insurance
774 without a certificate of authority, s. 624.437(4)(c)1., relating
775 to operating an unauthorized multiple-employer welfare
776 arrangement, or s. 626.902(1)(b), relating to representing or
777 aiding an unauthorized insurer.
- 778 11. Chapter 687, relating to interest and usurious
779 practices.
- 780 12. Section 721.08, s. 721.09, or s. 721.13, relating to
781 real estate timeshare plans.
- 782 13. Chapter 782, relating to homicide.
- 783 14. Chapter 784, relating to assault and battery.

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- 784 15. Chapter 787, relating to kidnapping or human
785 trafficking.
- 786 16. Chapter 790, relating to weapons and firearms.
- 787 17. Former s. 796.03, former s. 796.04, s. 796.05, s.
788 796.06, or s. 796.07, relating to prostitution.
- 789 18. Chapter 806, relating to arson.
- 790 19. Section 810.02(2)(c), relating to specified burglary of
791 a dwelling or structure.
- 792 20. Chapter 812, relating to theft, robbery, and related
793 crimes.
- 794 21. Chapter 815, relating to computer-related crimes.
- 795 22. Chapter 817, relating to fraudulent practices, false
796 pretenses, fraud generally, and credit card crimes.
- 797 23. Section 827.071, relating to commercial sexual
798 exploitation of children.
- 799 24. Chapter 831, relating to forgery and counterfeiting.
- 800 25. Chapter 832, relating to issuance of worthless checks
801 and drafts.
- 802 26. Section 836.05, relating to extortion.
- 803 27. Chapter 837, relating to perjury.
- 804 28. Chapter 838, relating to bribery and misuse of public
805 office.
- 806 29. Chapter 843, relating to obstruction of justice.
- 807 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
808 s. 847.07, relating to obscene literature and profanity.
- 809 31. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
810 849.25, relating to gambling.
- 811 32. Chapter 893, relating to drug abuse prevention and
812 control.

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813 33. Section 914.22 or s. 914.23, relating to witnesses,
814 victims, or informants.

815 34. Section 918.12 or s. 918.13, relating to tampering with
816 jurors and evidence.

817 Section 16. Paragraph (a) of subsection (3) of section
818 787.01, Florida Statutes, is amended to read:

819 787.01 Kidnapping; kidnapping of child under age 13,
820 aggravating circumstances.—

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

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

825 2. Sexual battery, as defined in chapter 794, against the
826 child;

827 3. Lewd or lascivious battery, lewd or lascivious
828 molestation, lewd or lascivious conduct, or lewd or lascivious
829 exhibition, in violation of s. 800.04 or s. 847.0135(5);

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

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

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

836
837 commits a life felony, punishable as provided in s. 775.082, s.
838 775.083, or s. 775.084.

839 Section 17. Paragraph (a) of subsection (3) of section
840 787.02, Florida Statutes, is amended to read:

841 787.02 False imprisonment; false imprisonment of child

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842 under age 13, aggravating circumstances.—

843 (3)(a) A person who commits the offense of false
844 imprisonment upon a child under the age of 13 and who, in the
845 course of committing the offense, commits any offense enumerated
846 in subparagraphs 1.-6. ~~subparagraphs 1.-5.~~, commits a felony of
847 the first degree, punishable by imprisonment for a term of years
848 not exceeding life or as provided in s. 775.082, s. 775.083, or
849 s. 775.084.

- 850 1. Aggravated child abuse, as defined in s. 827.03;
- 851 2. Sexual battery, as defined in chapter 794, against the
852 child;
- 853 3. Lewd or lascivious battery, lewd or lascivious
854 molestation, lewd or lascivious conduct, or lewd or lascivious
855 exhibition, in violation of s. 800.04 or s. 847.0135(5);
- 856 4. A violation of former s. 796.03 or former s. 796.04,
857 relating to prostitution, upon the child;
- 858 5. Exploitation of the child or allowing the child to be
859 exploited, in violation of s. 450.151; or
- 860 6. A violation of s. 787.06(3)(g) relating to human
861 trafficking.

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

864 794.056 Rape Crisis Program Trust Fund.—

865 (1) The Rape Crisis Program Trust Fund is created within
866 the Department of Health for the purpose of providing funds for
867 rape crisis centers in this state. Trust fund moneys shall be
868 used exclusively for the purpose of providing services for
869 victims of sexual assault. Funds credited to the trust fund
870 consist of those funds collected as an additional court

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871 assessment in each case in which a defendant pleads guilty or
 872 nolo contendere to, or is found guilty of, regardless of
 873 adjudication, an offense provided in s. 775.21(6) and (10)(a),
 874 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
 875 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
 876 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
 877 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;
 878 former s. 796.03; former s. 796.035; former s. 796.04; s.
 879 796.05; s. 796.06; s. 796.07(1) ~~s. 796.07(2)(a)-(d) and (i)~~; s.
 880 800.03; s. 800.04; s. 810.14; s. 810.145; s. 812.135; s.
 881 817.025; s. 825.102; s. 825.1025; s. 827.071; s. 836.10; s.
 882 847.0133; s. 847.0135(2); s. 847.0137; s. 847.0145; s.
 883 943.0435(4)(c), (7), (8), (9)(a), (13), and (14)(c); or s.
 884 985.701(1). Funds credited to the trust fund also shall include
 885 revenues provided by law, moneys appropriated by the
 886 Legislature, and grants from public or private entities.

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

889 796.08 Screening for HIV and sexually transmissible
 890 diseases; providing penalties.—

891 (3) A person convicted under s. 796.07 of providing, or
 892 offering to provide, something of value in exchange for sexual
 893 activity ~~prostitution or procuring another to commit~~
 894 ~~prostitution~~ must undergo screening for a sexually transmissible
 895 disease, including, but not limited to, screening to detect
 896 exposure to the human immunodeficiency virus, under direction of
 897 the Department of Health. If the person is infected, he or she
 898 must submit to treatment and counseling prior to release from
 899 probation, community control, or incarceration. Notwithstanding

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900 the provisions of s. 384.29, the results of tests conducted
901 pursuant to this subsection shall be made available by the
902 Department of Health to the offender, medical personnel,
903 appropriate state agencies, state attorneys, and courts of
904 appropriate jurisdiction in need of such information in order to
905 enforce the provisions of this chapter.

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

908 796.09 Coercion; civil cause of action; evidence; defenses;
909 attorney's fees.—

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

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

914 893.138 Local administrative action to abate certain
915 activities declared public nuisances.—

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

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

919 (b) On more than two occasions within a 6-month period, as
920 the site of the unlawful sale, delivery, manufacture, or
921 cultivation of any controlled substance;

922 (c) On one occasion as the site of the unlawful possession
923 of a controlled substance, where such possession constitutes a
924 felony and that has been previously used on more than one
925 occasion as the site of the unlawful sale, delivery,
926 manufacture, or cultivation of any controlled substance;

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

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

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

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

- 936 1. Section 782.04, relating to murder;
937 2. Section 782.051, relating to attempted felony murder;
938 3. Section 784.045(1)(a)2., relating to aggravated battery
939 with a deadly weapon;
940 4. Section 784.021(1)(a), relating to aggravated assault
941 with a deadly weapon without intent to kill; or

942 (h) On more than two occasions within a 12-month period, as
943 the site of a violation of s. 562.12, relating to the unlicensed
944 or unlawful sale of alcoholic beverages,

945
946 may be declared to be a public nuisance, and such nuisance may
947 be abated pursuant to the procedures provided in this section.

948 Section 22. Paragraph (a) of subsection (8) of section
949 895.02, Florida Statutes, is amended to read:

950 895.02 Definitions.—As used in ss. 895.01-895.08, the term:

951 (8) "Racketeering activity" means to commit, to attempt to
952 commit, to conspire to commit, or to solicit, coerce, or
953 intimidate another person to commit:

954 (a) Any crime that is chargeable by petition, indictment,
955 or information under the following provisions of the Florida
956 Statutes:

- 957 1. Section 210.18, relating to evasion of payment of

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958 cigarette taxes.

959 2. Section 316.1935, relating to fleeing or attempting to
960 elude a law enforcement officer and aggravated fleeing or
961 eluding.

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

965 4. Section 403.727(3)(b), relating to environmental
966 control.

967 5. Section 409.920 or s. 409.9201, relating to Medicaid
968 fraud.

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

970 7. Section 440.105 or s. 440.106, relating to workers'
971 compensation.

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

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

976 10. Section 499.0051, relating to crimes involving
977 contraband, adulterated, or misbranded drugs.

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

979 12. Chapter 517, relating to sale of securities and
980 investor protection.

981 13. Section 550.235 or s. 550.3551, relating to dogracing
982 and horseracing.

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

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

985 16. Chapter 552, relating to the manufacture, distribution,
986 and use of explosives.

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

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

990 19. Section 624.401, relating to transacting insurance
991 without a certificate of authority, s. 624.437(4)(c)1., relating
992 to operating an unauthorized multiple-employer welfare
993 arrangement, or s. 626.902(1)(b), relating to representing or
994 aiding an unauthorized insurer.

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

997 21. Chapter 687, relating to interest and usurious
998 practices.

999 22. Section 721.08, s. 721.09, or s. 721.13, relating to
1000 real estate timeshare plans.

1001 23. Section 775.13(5)(b), relating to registration of
1002 persons found to have committed any offense for the purpose of
1003 benefiting, promoting, or furthering the interests of a criminal
1004 gang.

1005 24. Section 777.03, relating to commission of crimes by
1006 accessories after the fact.

1007 25. Chapter 782, relating to homicide.

1008 26. Chapter 784, relating to assault and battery.

1009 27. Chapter 787, relating to kidnapping, human smuggling,
1010 or human trafficking.

1011 28. Chapter 790, relating to weapons and firearms.

1012 29. Chapter 794, relating to sexual battery, but only if
1013 such crime was committed with the intent to benefit, promote, or
1014 further the interests of a criminal gang, or for the purpose of
1015 increasing a criminal gang member's own standing or position

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1016 within a criminal gang.

1017 30. Former s. 796.03, former s. 796.035, former s. 796.04,

1018 s. 796.05, s. 796.06, or s. 796.07, relating to prostitution.

1019 31. Chapter 806, relating to arson and criminal mischief.

1020 32. Chapter 810, relating to burglary and trespass.

1021 33. Chapter 812, relating to theft, robbery, and related

1022 crimes.

1023 34. Chapter 815, relating to computer-related crimes.

1024 35. Chapter 817, relating to fraudulent practices, false

1025 pretenses, fraud generally, credit card crimes, and patient

1026 brokering.

1027 36. Chapter 825, relating to abuse, neglect, or

1028 exploitation of an elderly person or disabled adult.

1029 37. Section 827.071, relating to commercial sexual

1030 exploitation of children.

1031 38. Section 828.122, relating to fighting or baiting

1032 animals.

1033 39. Chapter 831, relating to forgery and counterfeiting.

1034 40. Chapter 832, relating to issuance of worthless checks

1035 and drafts.

1036 41. Section 836.05, relating to extortion.

1037 42. Chapter 837, relating to perjury.

1038 43. Chapter 838, relating to bribery and misuse of public

1039 office.

1040 44. Chapter 843, relating to obstruction of justice.

1041 45. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or

1042 s. 847.07, relating to obscene literature and profanity.

1043 46. Chapter 849, relating to gambling, lottery, gambling or

1044 gaming devices, slot machines, or any of the provisions within

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1045 that chapter.

1046 47. Chapter 874, relating to criminal gangs.

1047 48. Chapter 893, relating to drug abuse prevention and
1048 control.

1049 49. Chapter 896, relating to offenses related to financial
1050 transactions.

1051 50. Sections 914.22 and 914.23, relating to tampering with
1052 or harassing a witness, victim, or informant, and retaliation
1053 against a witness, victim, or informant.

1054 51. Sections 918.12 and 918.13, relating to tampering with
1055 jurors and evidence.

1056 Section 23. Section 938.085, Florida Statutes, is amended
1057 to read:

1058 938.085 Additional cost to fund rape crisis centers.—In
1059 addition to any sanction imposed when a person pleads guilty or
1060 nolo contendere to, or is found guilty of, regardless of
1061 adjudication, a violation of s. 775.21(6) and (10) (a), (b), and
1062 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
1063 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.
1064 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
1065 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.
1066 796.03; former s. 796.035; former s. 796.04; s. 796.05; s.
1067 796.06; s. 796.07(1) ~~s. 796.07(2) (a) (d) and (i)~~; s. 800.03; s.
1068 800.04; s. 810.14; s. 810.145; s. 812.135; s. 817.025; s.
1069 825.102; s. 825.1025; s. 827.071; s. 836.10; s. 847.0133; s.
1070 847.0135(2); s. 847.0137; s. 847.0145; s. 943.0435(4) (c), (7),
1071 (8), (9) (a), (13), and (14) (c); or s. 985.701(1), the court
1072 shall impose a surcharge of \$151. Payment of the surcharge shall
1073 be a condition of probation, community control, or any other

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1074 court-ordered supervision. The sum of \$150 of the surcharge
1075 shall be deposited into the Rape Crisis Program Trust Fund
1076 established within the Department of Health by chapter 2003-140,
1077 Laws of Florida. The clerk of the court shall retain \$1 of each
1078 surcharge that the clerk of the court collects as a service
1079 charge of the clerk's office.

1080 Section 24. This act shall take effect October 1, 2025.