

COMMITTEE/SUBCOMMITTEE AMENDMENT

Bill No. HB 1525 (2026)

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

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WITHDRAWN	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

1 Committee/Subcommittee hearing bill: Criminal Justice
2 Subcommittee

3 Representative Bankson offered the following:

4

5 **Amendment (with title amendment)**

6 Remove everything after the enacting clause and insert:

7 **Section 1. Section 800.035, Florida Statutes, is created**

8 **to read:**

9 800.035 Lewd or lascivious exhibition while observing a
10 child.

11 (1) A person commits the offense of lewd or lascivious
12 exhibition while observing a child, if that person, while
13 observing a child under 16 years of age for the purpose of his
14 or her own sexual arousal or gratification:

15 (a) Intentionally exposes his or her sexual organ in a
16 lewd or lascivious manner; or

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17 (b) Intentionally performs any sexual act that does not
18 involve actual physical or sexual contact with the child,
19 including, but not limited to, sadomasochistic abuse, sexual
20 bestiality, masturbation, or the simulation of any act involving
21 sexual activity.

22 (2) For the purposes of this section, the term "observing"
23 means intentionally viewing another person under circumstances
24 in which the offender is reasonably capable of being seen by the
25 person being viewed.

26 (3) A person who commits lewd or lascivious exhibition
27 while observing a child commits a felony of the third degree,
28 punishable as provided in s. 775.082, s. 775.083, or 775.084.

29 (4) It is not a defense under this section that the person
30 being observed was not aware of any specific conduct on the part
31 of the offender or did not see the offender's sexual organs.

32 (4) A person does not commit the offense of lewd or
33 lascivious exhibition while observing a child if the person is
34 either of the following:

35 (a) A mother who is breastfeeding her baby.
36 (b) An individual who is merely nude in a place provided
37 or set apart for that purpose.

38 **Section 2.** This act shall take effect October 1, 2026.

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

Remove everything before the enacting clause and insert:

An act relating to lewd or lascivious exhibition; creating s. 800.035, F.S.; prohibiting a person from intentionally exposing or exhibiting his or her sexual organ in a lewd or lascivious manner while observing a child under 16 years of age or performing specified sexual acts while observing a child under 16 years of age for a specified purpose; defining the term "observing"; providing a criminal penalty; providing exceptions; providing an effective date.