

CS/HB 1525

2026

A bill to be entitled
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; prohibiting
a certain defense from being raised; providing
exceptions; providing an effective date.

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

Section 1. Section 800.035, Florida Statutes, is created to read:

800.035 Lewd or lascivious exhibition while observing a child.-

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

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

(b) Intentionally performs any sexual act that does not

26 involve actual physical or sexual contact with the child,
27 including, but not limited to, sadomasochistic abuse, sexual
28 bestiality, masturbation, or the simulation of any act involving
29 sexual activity.

30 (2) For the purposes of this section, the term "observing"
31 means intentionally viewing another person under circumstances
32 in which the offender is reasonably capable of being seen by the
33 person being viewed.

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

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

40 (5) A person does not commit the offense of lewd or
41 lascivious exhibition while observing a child if the person is
42 either of the following:

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

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