

By Senator Leek

7-00860-26

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1 A bill to be entitled
2 An act relating to penalties for prostitution and
3 related acts; amending s. 796.07, F.S.; revising
4 penalties and criminal penalties for certain offenses;
5 amending ss. 456.074 and 480.041, F.S.; conforming
6 provisions to changes made by the act; providing an
7 effective date.

8
9 Be It Enacted by the Legislature of the State of Florida:

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11 Section 1. Subsection (4), paragraph (a) of subsection (5),
12 and subsection (7) of section 796.07, Florida Statutes, are
13 amended, and subsection (2) of that section is republished, to
14 read:

15 796.07 Prohibiting prostitution and related acts.—

16 (2) It is unlawful:

17 (a) To own, establish, maintain, or operate any place,
18 structure, building, or conveyance for the purpose of lewdness,
19 assignation, or prostitution.

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

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

27 (d) To direct, take, or transport, or to offer or agree to
28 direct, take, or transport, any person to any place, structure,
29 or building, or to any other person, with knowledge or

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reasonable cause to believe that the purpose of such directing, taking, or transporting is prostitution, lewdness, or assignation.

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

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

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

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

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

(4)~~(a)~~ A person who violates any provision of this section, other than paragraph (2)(e) or paragraph (2)(g) ~~(2)(f)~~, commits:

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

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

(c)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.~~

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

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

2. A misdemeanor ~~felony~~ of the first ~~third~~ degree for a second violation, punishable as provided in s. 775.082 or ~~7~~ s. 775.083, ~~or s. 775.084.~~

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

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

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

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

Section 2. Paragraph (1) of subsection (4) and paragraph (g) of subsection (5) of section 456.074, Florida Statutes, are

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amended to read:

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

(4) The department shall issue an emergency order suspending the license of a massage therapist and establishment as those terms are defined in chapter 480 upon receipt of information that the massage therapist; the designated establishment manager as defined in chapter 480; an employee of the establishment; a person with an ownership interest in the establishment; or, for a corporation that has more than \$250,000 of business assets in this state, the owner, officer, or individual directly involved in the management of the establishment has been arrested for committing or attempting, soliciting, or conspiring to commit, or convicted or found guilty of, or has entered a plea of guilty or nolo contendere to, regardless of adjudication, a violation of s. 796.07 or a felony offense under any of the following provisions of state law or a similar provision in another jurisdiction:

(1) Section 796.07(4)(c) ~~796.07(4)(a)3.~~, relating to a felony of the second ~~third~~ degree for a third or subsequent violation of s. 796.07, relating to prohibiting prostitution and related acts.

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

(g) Section 796.07(4)(c) ~~796.07(4)(a)3.~~, relating to a

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

Section 3. Paragraph (1) of subsection (6) of section 480.041, Florida Statutes, is amended to read:

480.041 Massage therapists; qualifications; licensure; endorsement.—

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

(1) Section 796.07(4)(c) ~~796.07(4)(a)3.~~, relating to a felony of the second ~~third~~ degree for a third or subsequent violation of s. 796.07, relating to prohibiting prostitution and related acts.

Section 4. This act shall take effect October 1, 2026.