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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/26/2026	.	
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	.	
	.	

The Committee on Criminal Justice (Martin) recommended the following:

1 **Senate Amendment (with title amendment)**

2
3 Delete everything after the enacting clause
4 and insert:

5 Section 1. Section 800.02, Florida Statutes, is repealed.

6 Section 2. Section 800.035, Florida Statutes, is created to
7 read:

8 800.035 Indecent exposure of sexual organs to a minor.-

9 (1) A person may not:

10 (a) Intentionally expose his or her sexual organ in a lewd



11 or lascivious manner while viewing a person who is younger than
12 16 years of age for the purpose of attaining sexual arousal or
13 gratification; or

14 (b) Intentionally perform any sexual act that does not
15 involve actual physical or sexual contact with the minor,
16 including, but not limited to, sadomasochistic abuse, sexual
17 bestiality, masturbation, or the simulation of any act involving
18 sexual activity, while viewing a person who is younger than 16
19 years of age for the purpose of attaining sexual arousal or
20 gratification.

21 (2) For the purposes of this section, the term "viewing"
22 means that the offender knows that a person younger than 16
23 years of age is present, and the offender is reasonably capable
24 of being seen by such person. The term does not require such
25 person to be aware of any specific conduct or to see the
26 offender's sexual organs.

27 (3) A person who violates subsection (1) commits the
28 offense of indecent exposure of sexual organs to a minor, a
29 felony of the third degree, punishable as provided in s.
30 775.082, s. 775.083, or 775.084.

31 (4) A person does not commit the offense of indecent
32 exposure of sexual organs to a minor if the person is either of
33 the following:

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

37 Section 3. Section 914.16, Florida Statutes, is amended to
38 read:

39 914.16 Child abuse and sexual abuse of victims under age 16



40 or who have an intellectual disability; limits on interviews.—
41 The chief judge of each judicial circuit, after consultation
42 with the state attorney and the public defender for the judicial
43 circuit, the appropriate chief law enforcement officer, and any
44 other person deemed appropriate by the chief judge, shall order
45 reasonable limits on the number of interviews which a victim of
46 a violation of s. 794.011, s. 800.04, s. 827.03, or s.
47 847.0135(5) who is under 16 years of age or a victim of a
48 violation of s. 794.011, ~~s. 800.02~~, s. 800.03, or s. 825.102 who
49 has an intellectual disability as defined in s. 393.063 must
50 submit to for law enforcement or discovery purposes. To the
51 extent possible, the order must protect the victim from the
52 psychological damage of repeated interrogations while preserving
53 the rights of the public, the victim, and the person charged
54 with the violation.

55 Section 4. Paragraph (b) of subsection (7) of section
56 933.18, Florida Statutes, is amended to read:

57 933.18 When warrant may be issued for search of private
58 dwelling.—No search warrant shall issue under this chapter or
59 under any other law of this state to search any private dwelling
60 occupied as such unless:

61 (7) One or more of the following child abuse offenses is
62 being committed there:

63 ~~(b) Commission of an unnatural and lascivious act with a~~
64 ~~child, in violation of s. 800.02.~~

65
66 If, during a search pursuant to a warrant issued under this
67 section, a child is discovered and appears to be in imminent
68 danger, the law enforcement officer conducting such search may



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69 remove the child from the private dwelling and take the child
70 into protective custody pursuant to chapter 39. The term
71 "private dwelling" shall be construed to include the room or
72 rooms used and occupied, not transiently but solely as a
73 residence, in an apartment house, hotel, boardinghouse, or
74 lodginghouse. No warrant shall be issued for the search of any
75 private dwelling under any of the conditions hereinabove
76 mentioned except on sworn proof by affidavit of some creditable
77 witness that he or she has reason to believe that one of said
78 conditions exists, which affidavit shall set forth the facts on
79 which such reason for belief is based.

80 Section 5. This act shall take effect October 1, 2026.

81
82 ===== T I T L E A M E N D M E N T =====
83 And the title is amended as follows:

84 Delete everything before the enacting clause
85 and insert:

86 A bill to be entitled
87 An act relating to indecent exposure of sexual organs
88 to minors; repealing s. 800.02, F.S., relating to
89 unnatural and lascivious acts; creating s. 800.035,
90 F.S.; prohibiting a person from intentionally exposing
91 or exhibiting his or her sexual organ in a lewd or
92 lascivious manner while viewing a person who is
93 younger than 16 years of age or performing specified
94 sexual acts while viewing a person who is younger than
95 16 years of age for a specified purpose; defining the
96 term "viewing"; providing a criminal penalty;
97 providing exceptions; amending ss. 914.16 and 933.18,



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98 F.S.; conforming cross-references; providing an
99 effective date.