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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:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

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 Section 800.02, Florida Statutes, is repealed.

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

800.035 Indecent exposure of sexual organs to a minor.—

(1) A person may not:

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



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

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

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

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

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

(a) A mother who is breastfeeding her baby.

(b) An individual who is nude in a place provided or set apart for that purpose.

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

914.16 Child abuse and sexual abuse of victims under age 16



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

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

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

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

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

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



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

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

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

And the title is amended as follows:

Delete everything before the enacting clause
and insert:

A bill to be entitled

An act relating to indecent exposure of sexual organs to minors; repealing s. 800.02, F.S., relating to unnatural and lascivious acts; 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 viewing a person who is younger than 16 years of age or performing specified sexual acts while viewing a person who is younger than 16 years of age for a specified purpose; defining the term "viewing"; providing a criminal penalty; providing exceptions; amending ss. 914.16 and 933.18,



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