Senator Polsky moved the following:

**Senate Amendment to Amendment (730228)**

Delete lines 128 - 269

and insert:

for the purpose of arousing or gratifying a sexual desire of
himself or herself or any other person, a restroom or changing
facility designated for the opposite sex on the premises of the
correctional institution and refuses to depart when asked to do
so by any employee of the Department of Corrections or an
employee of the correctional institution.

(b) Any Department of Corrections employee or correctional
institution employee who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of a correctional institution and refuses to depart when asked to do so by another Department of Corrections employee or correctional institution employee is subject to disciplinary action by the Department of Corrections.

(c) A person who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of a correctional institution and refuses to depart when asked to do so by an employee of the Department of Corrections or an employee of the correctional institution commits the offense of trespass as provided in s. 810.08. This paragraph does not apply to prisoners, Department of Corrections employees, or correctional institution employees.

(8)(a) Each detention facility shall establish disciplinary procedures for any prisoner who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of the detention facility and refuses to depart when asked to do so by any employee of the detention facility.

(b) Any detention facility employee who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of a detention facility and refuses to depart when asked to do so by another detention facility employee is subject to disciplinary
(c) A person who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of a detention facility and refuses to depart when asked to do so by an employee of the detention facility commits the offense of trespass as provided in s. 810.08. This paragraph does not apply to prisoners, detention facility employees, or staff of the entity operating the detention facility.

(9)(a) Each educational institution shall, within its code of student conduct, establish disciplinary procedures for any student who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by:

1. For a K-12 educational institution or facility, any instructional personnel as described in s. 1012.01(2), administrative personnel as described in s. 1012.01(3), or a safe-school officer as described in s. 1006.12(1)-(4) or, if the institution is a private school, any equivalent of such personnel or officer; or

2. For a postsecondary educational institution or facility, any administrative personnel, faculty member, security personnel, or law enforcement personnel.

(b) Any instructional personnel or administrative personnel as those terms are described in s. 1012.01(2) and (3), respectively, for an educational institution, or the equivalent
of such personnel for a private school, who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by a person specified in subparagraph (a)1. or subparagraph (a)2. commits a violation of the Principles of Professional Conduct for the Education Profession and is subject to discipline pursuant to s. 1012.795.

(c) Any instructional personnel or administrative personnel at a Florida College System institution or state university who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by a person listed in subparagraph (a)2. is subject to disciplinary actions established in State Board of Education rule or Board of Governors regulation.

(d) Each postsecondary educational institution or facility defined under subparagraphs (3)(i)4. and 5. and private school defined under subparagraph (3)(g)5. shall establish a disciplinary policy for any administrative personnel and instructional personnel who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of the educational institution and refuses to depart when asked to do so by a person specified in subparagraph (a)1. or subparagraph (a)2.

(e) Any person who willfully enters, for the purpose of
arousing or gratifying a sexual desire of himself or herself or
any other person, a restroom or changing facility designated for
the opposite sex on the premises of an educational institution
and refuses to depart when asked to do so by a person specified
in subparagraph (a)1. or subparagraph (a)2. commits the offense
of trespass as provided in s. 810.08. This paragraph does not
apply to a student of the educational institution or to
administrative personnel or instructional personnel of the
educational institution.

(10)(a) Each juvenile correctional facility or juvenile
prison as described in s. 985.465, each detention center or
facility designated by the Department of Juvenile Justice to
provide secure detention as defined in s. 985.03(18)(a), and
each facility used for a residential program as described in s.
985.03(44)(b), (c), or (d) shall establish disciplinary
procedures for any juvenile as defined in s. 985.03(7) who
willfully enters, for the purpose of arousing or gratifying a
sexual desire of himself or herself or any other person, a
restroom or changing facility designated for the opposite sex in
such juvenile correctional facility, juvenile prison, secure
detention center or facility, or residential program facility
and refuses to depart when asked to do so by delinquency program
staff, detention staff, or residential program staff.

(b) Any delinquency program staff member, detention staff
member, or residential program staff member who willfully
enters, for the purpose of arousing or gratifying a sexual
desire of himself or herself or any other person, a restroom or
changing facility designated for the opposite sex in a juvenile
correctional facility, juvenile prison, secure detention center
or facility, or residential program facility and refuses to depart when asked to do so by another delinquency program staff member, detention staff member, or residential program staff member is subject to disciplinary action by the Department of Juvenile Justice.

  (c) A person who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex on the premises of a juvenile correctional facility, juvenile prison, secure detention center or facility, or residential program facility and refuses to depart when asked to do so by delinquency program staff, detention staff, or residential program staff commits the offense of trespass as provided in s. 810.08. This paragraph does not apply to juveniles as defined in s. 985.03(7), delinquency program staff, detention staff, or residential program staff.

  (11)(a) The applicable governmental entity shall, for each public building under its jurisdiction, establish disciplinary procedures for any employee of the governmental entity who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility designated for the opposite sex at such public building and refuses to depart when asked to do so by any other employee of the governmental entity.

  (b) A person who willfully enters, for the purpose of arousing or gratifying a sexual desire of himself or herself or any other person, a restroom or changing facility