



LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
01/30/2024	.	
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The Committee on Criminal Justice (Grall) recommended the following:

Senate Amendment (with title amendment)

Delete everything after the enacting clause
and insert:

Section 1. Section 796.011, Florida Statutes, is created to
read:

796.011 Definitions.—As used in this chapter, the term:

(1) "Adult" means an individual 18 years of age or older.

(2) "Assignment" means the making of any appointment or
engagement for prostitution or lewdness, or any act in
furtherance of such appointment or engagement.



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11 (3) "Commercial sex" means engaging in sexual activity in
12 exchange for something of value. The term includes prostitution
13 and human trafficking.

14 (4) "Female genitals" includes the labia minora, labia
15 majora, clitoris, vulva, hymen, and vagina.

16 (5) "Lewdness" means any indecent or obscene act.

17 (6) "Prostitution" means voluntarily engaging in, agreeing
18 to engage in, or offering to engage in commercial sex.

19 (7) "Sexual activity" means oral, anal, or female genital
20 penetration by, or union with, the sexual organ of another; anal
21 or female genital penetration of another by any other object;
22 the handling or fondling of the sexual organ of another for the
23 purpose of masturbation. The term does not include acts done for
24 bona fide medical purposes.

25 Section 2. Section 796.031, Florida Statutes, is created to
26 read:

27 796.031 Prostitution, lewdness, and assignation prohibited;
28 penalties.—

29 (1) It is unlawful for an adult to offer to commit, to
30 commit, or to engage in prostitution, lewdness, or assignation.

31 (2) In the trial of a person charged with a violation of
32 this section, testimony concerning the reputation of any place,
33 structure, building, or conveyance involved in the charge;
34 testimony concerning the reputation of any person residing in,
35 operating, or frequenting such place, structure, building or
36 conveyance; and testimony concerning the reputation of the
37 defendant is admissible in evidence in support of the charge.

38 (3) (a) A person who violates this section commits a
39 misdemeanor of the second degree, punishable as provided in s.



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40 775.082 or s. 775.083.

41 (b) In addition to any other penalty imposed, the court
42 shall order a person sentenced for a violation of this section
43 to attend an educational program about the negative effects of
44 commercial sex. The educational program may be offered by a
45 secular or faith-based provider.

46 (c) A judicial circuit may establish an educational program
47 for persons convicted of or charged with a violation of this
48 section, to include education on:

49 1. The relationship between demand for commercial sex and
50 human trafficking;

51 2. The impact of human trafficking on victims;

52 3. Coercion, consent, and sexual violence;

53 4. The health and legal consequences of commercial sex;

54 5. The negative impact of commercial sex on prostituted
55 persons and the community; and

56 6. The reasons and motivations for engaging in
57 prostitution.

58 Section 3. Section 796.04, Florida Statutes, is repealed.

59 Section 4. Section 796.06, Florida Statutes, is amended to
60 read:

61 796.06 Maintaining ~~Renting~~ space to be used for commercial
62 sex lewdness, assignation, or prostitution.-

63 (1) It is unlawful to:

64 (a) Own, establish, maintain, operate, use, let, or rent a
65 building, residence, ~~any~~ place, or structure, in whole or in ~~or~~
66 part thereof, or a trailer or any other conveyance, with ~~the~~
67 knowledge or reckless disregard that it will be used for the
68 purpose of commercial sex lewdness, assignation, or



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69 prostitution.

70 (b) Receive, or to offer or agree to receive, a person into
71 a building, residence, place, or structure, or a trailer or any
72 other conveyance, for the purpose of commercial sexual activity
73 or to allow a person to remain there for such purpose.

74 (2) A person who violates this section commits:

75 (a) A felony ~~misdemeanor~~ of the third ~~first~~ degree for a
76 first violation, punishable as provided in s. 775.082 or s.
77 775.083.

78 (b) A felony of the second ~~third~~ degree for a second or
79 subsequent violation, punishable as provided in s. 775.082, s.
80 775.083, or s. 775.084.

81 (3) In the trial of a person charged with a violation of
82 this section, testimony concerning the reputation of any place,
83 structure, building, or conveyance involved in the charge;
84 testimony concerning the reputation of any person residing in,
85 operating, or frequenting such place, structure, building, or
86 conveyance; and testimony concerning the reputation of the
87 defendant is admissible in evidence in support of the charge.

88 (4) If such building, residence, place, structure, or
89 trailer or any other conveyance that is owned, established,
90 maintained, or operated is a massage establishment that is or
91 should be licensed under s. 480.043, the offense must be
92 reclassified to the next higher degree as follows:

93 (a) A felony of the third degree is reclassified as a
94 felony of the second degree, punishable as provided in s.
95 775.082, s. 775.083, or s. 775.084.

96 (b) A felony of the second degree is reclassified as a
97 felony of the first degree, punishable as provided in s.



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98 775.082, s. 775.083, or s. 775.084.

99 (c) A felony of the first degree is reclassified as a
100 felony of the first degree punishable by life in prison,
101 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

102 Section 5. Section 796.07, Florida Statutes, is amended to
103 read:

104 796.07 Prohibiting prostitution and related acts.—

105 (1) ~~As used in this section:~~

106 ~~(a) "Assignment" means the making of any appointment or~~
107 ~~engagement for prostitution or lewdness, or any act in~~
108 ~~furtherance of such appointment or engagement.~~

109 ~~(b) "Female genitals" includes the labia minora, labia~~
110 ~~majora, clitoris, vulva, hymen, and vagina.~~

111 ~~(c) "Lewdness" means any indecent or obscene act.~~

112 ~~(d) "Prostitution" means the giving or receiving of the~~
113 ~~body for sexual activity for hire but excludes sexual activity~~
114 ~~between spouses.~~

115 ~~(e) "Sexual activity" means oral, anal, or female genital~~
116 ~~penetration by, or union with, the sexual organ of another; anal~~
117 ~~or female genital penetration of another by any other object; or~~
118 ~~the handling or fondling of the sexual organ of another for the~~
119 ~~purpose of masturbation; however, the term does not include acts~~
120 ~~done for bona fide medical purposes.~~

121 ~~(2) It is unlawful for a person:~~

122 ~~(a) to provide, or offer to provide, something of value in~~
123 ~~exchange for sexual activity own, establish, maintain, or~~
124 ~~operate any place, structure, building, or conveyance for the~~
125 ~~purpose of lewdness, assignment, or prostitution.~~

126 ~~(b) To offer, or to offer or agree to secure, another for~~



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127 ~~the purpose of prostitution or for any other lewd or indecent~~
128 ~~act.~~

129 ~~(c) To receive, or to offer or agree to receive, any person~~
130 ~~into any place, structure, building, or conveyance for the~~
131 ~~purpose of prostitution, lewdness, or assignation, or to permit~~
132 ~~any person to remain there for such purpose.~~

133 ~~(d) To direct, take, or transport, or to offer or agree to~~
134 ~~direct, take, or transport, any person to any place, structure,~~
135 ~~or building, or to any other person, with knowledge or~~
136 ~~reasonable cause to believe that the purpose of such directing,~~
137 ~~taking, or transporting is prostitution, lewdness, or~~
138 ~~assignation.~~

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

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

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

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

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

151 ~~(2)(3)(a)~~ In the trial of a person charged with a violation
152 of this section, testimony concerning the reputation of any
153 place, structure, building, or conveyance involved in the
154 charge, testimony concerning the reputation of any person
155 residing in, operating, or frequenting such place, structure,



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156 building, or conveyance, and testimony concerning the reputation
157 of the defendant is admissible in evidence in support of the
158 charge.

159 ~~(b) Notwithstanding any other provision of law, a police~~
160 ~~officer may testify as an offended party in an action regarding~~
161 ~~charges filed pursuant to this section.~~

162 ~~(3) (a) (4) (a) A person who violates any provision of this~~
163 ~~section, other than paragraph (2) (f), commits:~~

164 1. A felony ~~misdemeanor~~ of the third ~~second~~ degree for a
165 first violation, punishable as provided in s. 775.082 or s.
166 775.083.

167 2. A felony ~~misdemeanor~~ of the second ~~first~~ degree for a
168 second violation, punishable as provided in s. 775.082 or s.
169 775.083.

170 3. A felony of the first ~~third~~ degree for a third or
171 subsequent violation, punishable as provided in s. 775.082, s.
172 775.083, or s. 775.084.

173 ~~(b) A person who is charged with a third or subsequent~~
174 ~~violation of this section, other than paragraph (2) (f), shall be~~
175 ~~offered admission to a pretrial intervention program or a~~
176 ~~substance abuse treatment program as provided in s. 948.08.~~

177 ~~(5) (a) A person who violates paragraph (2) (f) commits:~~

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

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

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



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185 (b) In addition to any other penalty imposed, if a
186 violation of this section results in any judicial disposition
187 other than acquittal or dismissal, the court must ~~shall~~ order
188 the defendant ~~a person convicted of a violation of paragraph~~
189 ~~(2)(f)~~ to:

190 1. Perform 100 hours of community service; -

191 2. Pay for and attend an educational program, which may be
192 offered by a secular or faith-based provider, on the negative
193 effects of commercial sexual activity; ~~as described in~~
194 ~~subsection (8), if such a program exists in the judicial circuit~~
195 ~~in which the offender is sentenced~~

196 3. Pay a civil penalty of \$5,000. Of the proceeds from each
197 penalty assessed under this subparagraph, the first \$500 must be
198 paid to the circuit court administrator for the sole purpose of
199 paying the administrative costs of treatment-based drug court
200 programs provided under s. 397.334. The remainder of the penalty
201 assessed must be deposited in the Operations and Maintenance
202 Trust Fund of the Department of Children and Families for the
203 sole purpose of funding safe houses and safe foster homes as
204 provided in s. 409.1678; and

205 4. Receive sexually transmitted disease testing at a
206 recognized medical facility.

207 (c) A judicial circuit may establish an educational program
208 for persons convicted of or charged with a violation of this
209 section, to include education on:

210 1. The relationship between demand for commercial sex and
211 human trafficking;

212 2. The impact of human trafficking on victims;

213 3. Coercion, consent, and sexual violence;



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214 4. The health and legal consequences of commercial sex;
215 5. The negative impact of commercial sex on prostituted
216 persons and the community; and
217 6. The reasons and motivations for engaging in prostitution
218 ~~In addition to any other penalty imposed, the court shall~~
219 ~~sentence a person convicted of a second or subsequent violation~~
220 ~~of paragraph (2) (f) to a minimum mandatory period of~~
221 ~~incarceration of 10 days.~~
222 (d)1. If a person who violates this section ~~paragraph~~
223 ~~(2) (f)~~ uses a vehicle in the course of the violation, the judge,
224 upon the person's conviction, may issue an order for the
225 impoundment or immobilization of the vehicle for a period of up
226 to 60 days. The order of impoundment or immobilization must
227 include the names and telephone numbers of all immobilization
228 agencies meeting all of the conditions of s. 316.193(13). Within
229 7 business days after the date that the court issues the order
230 of impoundment or immobilization, the clerk of the court must
231 send notice by certified mail, return receipt requested, to the
232 registered owner of the vehicle, if the registered owner is a
233 person other than the defendant, and to each person of record
234 claiming a lien against the vehicle.
235 2. The owner of the vehicle may request the court to
236 dismiss the order. The court must dismiss the order, and the
237 owner of the vehicle will incur no costs, if the owner of the
238 vehicle alleges and the court finds to be true any of the
239 following:
240 a. The owner's family has no other private or public means
241 of transportation;
242 b. The vehicle was stolen at the time of the offense;



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243 c. The owner purchased the vehicle after the offense was
244 committed, and the sale was not made to circumvent the order and
245 allow the defendant continued access to the vehicle; or

246 d. The vehicle is owned by the defendant but is operated
247 solely by employees of the defendant or employees of a business
248 owned by the defendant.

249 3. If the court denies the request to dismiss the order,
250 the petitioner may request an evidentiary hearing. If, at the
251 evidentiary hearing, the court finds to be true any of the
252 circumstances described in sub-subparagraphs 2.a.-d. ~~sub-~~
253 ~~subparagraphs (d)2.a.-d.~~, the court must dismiss the order and
254 the owner of the vehicle will incur no costs.

255 ~~(6) A person who violates paragraph (2)(f) shall be~~
256 ~~assessed a civil penalty of \$5,000 if the violation results in~~
257 ~~any judicial disposition other than acquittal or dismissal. Of~~
258 ~~the proceeds from each penalty assessed under this subsection,~~
259 ~~the first \$500 shall be paid to the circuit court administrator~~
260 ~~for the sole purpose of paying the administrative costs of~~
261 ~~treatment-based drug court programs provided under s. 397.334.~~
262 ~~The remainder of the penalty assessed shall be deposited in the~~
263 ~~Operations and Maintenance Trust Fund of the Department of~~
264 ~~Children and Families for the sole purpose of funding safe~~
265 ~~houses and safe foster homes as provided in s. 409.1678.~~

266 ~~(7) If the place, structure, building, or conveyance that~~
267 ~~is owned, established, maintained, or operated in violation of~~
268 ~~paragraph (2)(a) is a massage establishment that is or should be~~
269 ~~licensed under s. 480.043, the offense shall be reclassified to~~
270 ~~the next higher degree as follows:~~

271 ~~(a) A misdemeanor of the second degree for a first~~



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272 ~~violation is reclassified as a misdemeanor of the first degree,~~
273 ~~punishable as provided in s. 775.082 or s. 775.083.~~

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

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

280 ~~(8)(a) A judicial circuit may establish an educational~~
281 ~~program for persons convicted of or charged with a violation of~~
282 ~~paragraph (2)(f), to include education on:~~

283 ~~1. The relationship between demand for commercial sex and~~
284 ~~human trafficking.~~

285 ~~2. The impact of human trafficking on victims.~~

286 ~~3. Coercion, consent, and sexual violence.~~

287 ~~4. The health and legal consequences of commercial sex.~~

288 ~~5. The negative impact of commercial sex on prostituted~~
289 ~~persons and the community.~~

290 ~~6. The reasons and motivations for engaging in~~
291 ~~prostitution.~~

292 ~~(b) An educational program may include a program offered by~~
293 ~~a faith-based provider.~~

294 Section 6. Subsection (5) of section 60.05, Florida
295 Statutes, is amended to read:

296 60.05 Abatement of nuisances.—

297 (5) On trial if the existence of a nuisance is shown, the
298 court shall issue a permanent injunction and order the costs to
299 be paid by the persons establishing or maintaining the nuisance
300 and shall adjudge that the costs are a lien on all personal



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301 property found in the place of the nuisance and on the failure
302 of the property to bring enough to pay the costs, then on the
303 real estate occupied by the nuisance. A lien may not attach to
304 the real estate of any other than such persons unless a second
305 written notice has been given in accordance with paragraph
306 (3) (a) to the owner or his or her agent who fails to begin to
307 abate the nuisance within the time specified therein. In a
308 proceeding abating a nuisance pursuant to s. 823.10 or s.
309 823.05, if a tenant has been convicted of an offense under
310 chapter 893, s. 796.06, or s. 796.07, the court may order the
311 tenant to vacate the property within 72 hours if the tenant and
312 owner of the premises are parties to the nuisance abatement
313 action and the order will lead to the abatement of the nuisance.

314 Section 7. Subsection (7) of section 322.28, Florida
315 Statutes, is amended to read:

316 322.28 Period of suspension or revocation.—

317 (7) Following a second or subsequent violation of s.
318 796.07(1) ~~s. 796.07(2)(f)~~ which involves a motor vehicle and
319 which results in any judicial disposition other than acquittal
320 or dismissal, in addition to any other sentence imposed, the
321 court shall revoke the person's driver license or driving
322 privilege, effective upon the date of the disposition, for a
323 period of at least 1 year. A person sentenced under this
324 subsection may request a hearing under s. 322.271.

325 Section 8. Paragraph (b) of subsection (4) of section
326 397.4073, Florida Statutes, is amended to read:

327 397.4073 Background checks of service provider personnel.—

328 (4) EXEMPTIONS FROM DISQUALIFICATION.—

329 (b) For service providers that treat adolescents 13 years



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330 of age and older, service provider personnel whose background
331 checks indicate crimes under s. 796.07(1) ~~s. 796.07(2)(e)~~, s.
332 810.02(4), s. 812.014(2)(c), s. 817.563, s. 831.01, s. 831.02,
333 s. 893.13, or s. 893.147, and any related criminal attempt,
334 solicitation, or conspiracy under s. 777.04:

335 1. Shall be exempted from disqualification from employment
336 for such offenses pursuant to this paragraph if:

337 a. At least 5 years, or at least 3 years in the case of an
338 individual seeking certification as a peer specialist under s.
339 397.417, have elapsed since the applicant requesting an
340 exemption has completed or has been lawfully released from any
341 confinement, supervision, or nonmonetary condition imposed by a
342 court for the applicant's most recent disqualifying offense
343 under this paragraph.

344 b. The applicant for an exemption has not been arrested for
345 any offense during the 5 years, or 3 years in the case of a peer
346 specialist, before the request for exemption.

347 2. May be exempted from disqualification from employment
348 for such offenses without a waiting period as provided under s.
349 435.07(2).

350 Section 9. Paragraph (e) of subsection (4) of section
351 397.417, Florida Statutes, is amended to read:

352 397.417 Peer specialists.—

353 (4) BACKGROUND SCREENING.—

354 (e) The background screening conducted under this
355 subsection must ensure that a peer specialist has not been
356 arrested for and is awaiting final disposition of, found guilty
357 of, regardless of adjudication, or entered a plea of nolo
358 contendere or guilty to, or been adjudicated delinquent and the



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359 record has not been sealed or expunged for, any offense
360 prohibited under any of the following state laws or similar laws
361 of another jurisdiction:

362 1. Section 393.135, relating to sexual misconduct with
363 certain developmentally disabled clients and reporting of such
364 sexual misconduct.

365 2. Section 394.4593, relating to sexual misconduct with
366 certain mental health patients and reporting of such sexual
367 misconduct.

368 3. Section 409.920, relating to Medicaid provider fraud, if
369 the offense was a felony of the first or second degree.

370 4. Section 415.111, relating to abuse, neglect, or
371 exploitation of vulnerable adults.

372 5. Any offense that constitutes domestic violence as
373 defined in s. 741.28.

374 6. Section 777.04, relating to attempts, solicitation, and
375 conspiracy to commit an offense listed in this paragraph.

376 7. Section 782.04, relating to murder.

377 8. Section 782.07, relating to manslaughter; aggravated
378 manslaughter of an elderly person or a disabled adult;
379 aggravated manslaughter of a child; or aggravated manslaughter
380 of an officer, a firefighter, an emergency medical technician,
381 or a paramedic.

382 9. Section 782.071, relating to vehicular homicide.

383 10. Section 782.09, relating to killing an unborn child by
384 injury to the mother.

385 11. Chapter 784, relating to assault, battery, and culpable
386 negligence, if the offense was a felony.

387 12. Section 787.01, relating to kidnapping.



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- 388 13. Section 787.02, relating to false imprisonment.
- 389 14. Section 787.025, relating to luring or enticing a
390 child.
- 391 15. Section 787.04(2), relating to leading, taking,
392 enticing, or removing a minor beyond state limits, or concealing
393 the location of a minor, with criminal intent pending custody
394 proceedings.
- 395 16. Section 787.04(3), relating to leading, taking,
396 enticing, or removing a minor beyond state limits, or concealing
397 the location of a minor, with criminal intent pending dependency
398 proceedings or proceedings concerning alleged abuse or neglect
399 of a minor.
- 400 17. Section 790.115(1), relating to exhibiting firearms or
401 weapons within 1,000 feet of a school.
- 402 18. Section 790.115(2)(b), relating to possessing an
403 electric weapon or device, a destructive device, or any other
404 weapon on school property.
- 405 19. Section 794.011, relating to sexual battery.
- 406 20. Former s. 794.041, relating to prohibited acts of
407 persons in familial or custodial authority.
- 408 21. Section 794.05, relating to unlawful sexual activity
409 with certain minors.
- 410 22. Section 794.08, relating to female genital mutilation.
- 411 23. Section 796.07, relating to providing, or offering to
412 provide, something of value in exchange for sexual activity
413 ~~procuring another to commit prostitution~~, except for those
414 offenses expunged pursuant to s. 943.0583.
- 415 24. Section 798.02, relating to lewd and lascivious
416 behavior.



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- 417 25. Chapter 800, relating to lewdness and indecent
418 exposure.
- 419 26. Section 806.01, relating to arson.
- 420 27. Section 810.02, relating to burglary, if the offense
421 was a felony of the first degree.
- 422 28. Section 810.14, relating to voyeurism, if the offense
423 was a felony.
- 424 29. Section 810.145, relating to video voyeurism, if the
425 offense was a felony.
- 426 30. Section 812.13, relating to robbery.
- 427 31. Section 812.131, relating to robbery by sudden
428 snatching.
- 429 32. Section 812.133, relating to carjacking.
- 430 33. Section 812.135, relating to home-invasion robbery.
- 431 34. Section 817.034, relating to communications fraud, if
432 the offense was a felony of the first degree.
- 433 35. Section 817.234, relating to false and fraudulent
434 insurance claims, if the offense was a felony of the first or
435 second degree.
- 436 36. Section 817.50, relating to fraudulently obtaining
437 goods or services from a health care provider and false reports
438 of a communicable disease.
- 439 37. Section 817.505, relating to patient brokering.
- 440 38. Section 817.568, relating to fraudulent use of personal
441 identification, if the offense was a felony of the first or
442 second degree.
- 443 39. Section 825.102, relating to abuse, aggravated abuse,
444 or neglect of an elderly person or a disabled adult.
- 445 40. Section 825.1025, relating to lewd or lascivious



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446 offenses committed upon or in the presence of an elderly person
447 or a disabled person.

448 41. Section 825.103, relating to exploitation of an elderly
449 person or a disabled adult, if the offense was a felony.

450 42. Section 826.04, relating to incest.

451 43. Section 827.03, relating to child abuse, aggravated
452 child abuse, or neglect of a child.

453 44. Section 827.04, relating to contributing to the
454 delinquency or dependency of a child.

455 45. Former s. 827.05, relating to negligent treatment of
456 children.

457 46. Section 827.071, relating to sexual performance by a
458 child.

459 47. Section 831.30, relating to fraud in obtaining
460 medicinal drugs.

461 48. Section 831.31, relating to the sale; manufacture;
462 delivery; or possession with intent to sell, manufacture, or
463 deliver of any counterfeit controlled substance, if the offense
464 was a felony.

465 49. Section 843.01, relating to resisting arrest with
466 violence.

467 50. Section 843.025, relating to depriving a law
468 enforcement, correctional, or correctional probation officer of
469 the means of protection or communication.

470 51. Section 843.12, relating to aiding in an escape.

471 52. Section 843.13, relating to aiding in the escape of
472 juvenile inmates of correctional institutions.

473 53. Chapter 847, relating to obscenity.

474 54. Section 874.05, relating to encouraging or recruiting



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475 another to join a criminal gang.

476 55. Chapter 893, relating to drug abuse prevention and
477 control, if the offense was a felony of the second degree or
478 greater severity.

479 56. Section 895.03, relating to racketeering and collection
480 of unlawful debts.

481 57. Section 896.101, relating to the Florida Money
482 Laundering Act.

483 58. Section 916.1075, relating to sexual misconduct with
484 certain forensic clients and reporting of such sexual
485 misconduct.

486 59. Section 944.35(3), relating to inflicting cruel or
487 inhuman treatment on an inmate resulting in great bodily harm.

488 60. Section 944.40, relating to escape.

489 61. Section 944.46, relating to harboring, concealing, or
490 aiding an escaped prisoner.

491 62. Section 944.47, relating to introduction of contraband
492 into a correctional institution.

493 63. Section 985.701, relating to sexual misconduct in
494 juvenile justice programs.

495 64. Section 985.711, relating to introduction of contraband
496 into a detention facility.

497 Section 10. Subsection (2) of section 435.07, Florida
498 Statutes, is amended to read:

499 435.07 Exemptions from disqualification.—Unless otherwise
500 provided by law, the provisions of this section apply to
501 exemptions from disqualification for disqualifying offenses
502 revealed pursuant to background screenings required under this
503 chapter, regardless of whether those disqualifying offenses are



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504 listed in this chapter or other laws.

505 (2) Persons employed, or applicants for employment, by
506 treatment providers who treat adolescents 13 years of age and
507 older who are disqualified from employment solely because of
508 crimes under s. 796.07(1) ~~s. 796.07(2)(e)~~, s. 810.02(4), s.
509 812.014(2)(c), s. 817.563, s. 831.01, s. 831.02, s. 893.13, or
510 s. 893.147, or any related criminal attempt, solicitation, or
511 conspiracy under s. 777.04, may be exempted from
512 disqualification from employment pursuant to this chapter
513 without application of the waiting period in subparagraph
514 (1)(a)1.

515 Section 11. Subsection (4) and paragraphs (o) and (q) of
516 subsection (5) of section 456.074, Florida Statutes, are amended
517 to read:

518 456.074 Certain health care practitioners; immediate
519 suspension of license.—

520 (4) The department shall issue an emergency order
521 suspending the license of a massage therapist or establishment
522 as defined in chapter 480 upon receipt of information that the
523 massage therapist, a person with an ownership interest in the
524 establishment, or, for a corporation that has more than \$250,000
525 of business assets in this state, the owner, officer, or
526 individual directly involved in the management of the
527 establishment has been convicted or found guilty of, or has
528 entered a plea of guilty or nolo contendere to, regardless of
529 adjudication, a violation of s. 796.06(1) that ~~s. 796.07(2)(a)~~
530 ~~which~~ is reclassified under s. 796.06(4) ~~s. 796.07(7)~~ or a
531 felony offense under any of the following provisions of state
532 law or a similar provision in another jurisdiction:



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- 533 (a) Section 787.01, relating to kidnapping.
- 534 (b) Section 787.02, relating to false imprisonment.
- 535 (c) Section 787.025, relating to luring or enticing a
536 child.
- 537 (d) Section 787.06, relating to human trafficking.
- 538 (e) Section 787.07, relating to human smuggling.
- 539 (f) Section 794.011, relating to sexual battery.
- 540 (g) Section 794.08, relating to female genital mutilation.
- 541 (h) Former s. 796.03, relating to procuring a person under
542 the age of 18 for prostitution.
- 543 (i) Former s. 796.035, relating to the selling or buying of
544 minors into prostitution.
- 545 (j) Former section 796.04, relating to forcing, compelling,
546 or coercing another to become a prostitute.
- 547 (k) Section 796.05, relating to deriving support from the
548 proceeds of prostitution.
- 549 (l) Section 796.07(3)(a)3. ~~Section 796.07(4)(a)3.~~, relating
550 to a felony of the first ~~third~~ degree for a third or subsequent
551 violation of s. 796.07, relating to prohibiting prostitution and
552 related acts.
- 553 (m) Section 800.04, relating to lewd or lascivious offenses
554 committed upon or in the presence of persons less than 16 years
555 of age.
- 556 (n) Section 825.1025(2)(b), relating to lewd or lascivious
557 offenses committed upon or in the presence of an elderly or
558 disabled person.
- 559 (o) Section 827.071, relating to sexual performance by a
560 child.
- 561 (p) Section 847.0133, relating to the protection of minors.



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562 (q) Section 847.0135, relating to computer pornography.

563 (r) Section 847.0138, relating to the transmission of
564 material harmful to minors to a minor by electronic device or
565 equipment.

566 (s) Section 847.0145, relating to the selling or buying of
567 minors.

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

574 (o) Former section 796.04, relating to forcing, compelling,
575 or coercing another to become a prostitute.

576 (q) Section 796.07(3)(a)3. ~~Section 796.07(4)(a)3.~~, relating
577 to a felony of the first ~~third~~ degree for a third or subsequent
578 violation of s. 796.07, relating to prohibiting prostitution and
579 related acts.

580 Section 12. Subsection (7) of section 480.041, Florida
581 Statutes, is amended to read:

582 480.041 Massage therapists; qualifications; licensure;
583 endorsement.—

584 (7) The board shall deny an application for a new or
585 renewal license if an applicant has been convicted or found
586 guilty of, or enters a plea of guilty or nolo contendere to,
587 regardless of adjudication, a violation of s. 796.06(1) ~~s.~~
588 ~~796.07(2)(a)~~ which is reclassified under s. 796.06(4) ~~s.~~
589 ~~796.07(7)~~ or a felony offense under any of the following
590 provisions of state law or a similar provision in another



591 jurisdiction:

592 (a) Section 787.01, relating to kidnapping.

593 (b) Section 787.02, relating to false imprisonment.

594 (c) Section 787.025, relating to luring or enticing a
595 child.

596 (d) Section 787.06, relating to human trafficking.

597 (e) Section 787.07, relating to human smuggling.

598 (f) Section 794.011, relating to sexual battery.

599 (g) Section 794.08, relating to female genital mutilation.

600 (h) Former s. 796.03, relating to procuring a person under
601 the age of 18 for prostitution.

602 (i) Former s. 796.035, relating to the selling or buying of
603 minors into prostitution.

604 (j) Former section 796.04, relating to forcing, compelling,
605 or coercing another to become a prostitute.

606 (k) Section 796.05, relating to deriving support from the
607 proceeds of prostitution.

608 (l) Section 796.07(3)(a)3. ~~Section 796.07(4)(a)3.~~, relating
609 to a felony of the first ~~third~~ degree for a third or subsequent
610 violation of s. 796.07, relating to prohibiting prostitution and
611 related acts.

612 (m) Section 800.04, relating to lewd or lascivious offenses
613 committed upon or in the presence of persons less than 16 years
614 of age.

615 (n) Section 825.1025(2)(b), relating to lewd or lascivious
616 offenses committed upon or in the presence of an elderly or
617 disabled person.

618 (o) Section 827.071, relating to sexual performance by a
619 child.



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620 (p) Section 847.0133, relating to the protection of minors.

621 (q) Section 847.0135, relating to computer pornography.

622 (r) Section 847.0138, relating to the transmission of
623 material harmful to minors to a minor by electronic device or
624 equipment.

625 (s) Section 847.0145, relating to the selling or buying of
626 minors.

627 Section 13. Subsection (8) of section 480.043, Florida
628 Statutes, is amended to read:

629 480.043 Massage establishments; requisites; licensure;
630 inspection; human trafficking awareness training and policies.-

631 (8) The department shall deny an application for a new or
632 renewal license if an establishment owner or a designated
633 establishment manager or, for a corporation that has more than
634 \$250,000 of business assets in this state, an establishment
635 owner, a designated establishment manager, or any individual
636 directly involved in the management of the establishment has
637 been convicted of or entered a plea of guilty or nolo contendere
638 to any misdemeanor or felony crime, regardless of adjudication,
639 related to prostitution or related acts as described in s.
640 796.06 or s. 796.07 or a felony offense under any of the
641 following provisions of state law or a similar provision in
642 another jurisdiction:

643 (a) Section 787.01, relating to kidnapping.

644 (b) Section 787.02, relating to false imprisonment.

645 (c) Section 787.025, relating to luring or enticing a
646 child.

647 (d) Section 787.06, relating to human trafficking.

648 (e) Section 787.07, relating to human smuggling.



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- 649 (f) Section 794.011, relating to sexual battery.
- 650 (g) Section 794.08, relating to female genital mutilation.
- 651 (h) Former s. 796.03, relating to procuring a person under
652 the age of 18 for prostitution.
- 653 (i) Former s. 796.035, relating to selling or buying of
654 minors into prostitution.
- 655 (j) Former section 796.04, relating to forcing, compelling,
656 or coercing another to become a prostitute.
- 657 (k) Section 796.05, relating to deriving support from the
658 proceeds of prostitution.
- 659 (l) Section 800.04, relating to lewd or lascivious offenses
660 committed upon or in the presence of persons less than 16 years
661 of age.
- 662 (m) Section 825.1025(2)(b), relating to lewd or lascivious
663 offenses committed upon or in the presence of an elderly or
664 disabled person.
- 665 (n) Section 827.071, relating to sexual performance by a
666 child.
- 667 (o) Section 847.0133, relating to the protection of minors.
- 668 (p) Section 847.0135, relating to computer pornography.
- 669 (q) Section 847.0138, relating to the transmission of
670 material harmful to minors to a minor by electronic device or
671 equipment.
- 672 (r) Section 847.0145, relating to the selling or buying of
673 minors.
- 674 Section 14. Paragraph (c) of subsection (3) of section
675 480.046, Florida Statutes, is amended to read:
- 676 480.046 Grounds for disciplinary action by the board.—
677 (3) The board shall revoke or suspend the license of a



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678 massage establishment licensed under this act, or deny
679 subsequent licensure of such an establishment, if any of the
680 following occurs:

681 (c) The establishment owner, the designated establishment
682 manager, or any individual providing massage therapy services
683 for the establishment has had the entry in any jurisdiction of:

684 1. A final order or other disciplinary action taken for
685 sexual misconduct involving prostitution;

686 2. A final order or other disciplinary action taken for
687 crimes related to the practice of massage therapy involving
688 prostitution; or

689 3. A conviction or a plea of guilty or nolo contendere to
690 any misdemeanor or felony crime, regardless of adjudication,
691 related to prostitution or related acts as described in s.
692 796.06 or s. 796.07.

693 Section 15. Paragraph (a) of subsection (1) of section
694 772.102, Florida Statutes, is amended to read:

695 772.102 Definitions.—As used in this chapter, the term:

696 (1) "Criminal activity" means to commit, to attempt to
697 commit, to conspire to commit, or to solicit, coerce, or
698 intimidate another person to commit:

699 (a) Any crime that is chargeable by indictment or
700 information under the following provisions:

701 1. Section 210.18, relating to evasion of payment of
702 cigarette taxes.

703 2. Section 414.39, relating to public assistance fraud.

704 3. Section 440.105 or s. 440.106, relating to workers'
705 compensation.

706 4. Part IV of chapter 501, relating to telemarketing.



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- 707 5. Chapter 517, relating to securities transactions.
708 6. Section 550.235 or s. 550.3551, relating to dogracing
709 and horseracing.
710 7. Chapter 550, relating to jai alai frontons.
711 8. Chapter 552, relating to the manufacture, distribution,
712 and use of explosives.
713 9. Chapter 562, relating to beverage law enforcement.
714 10. Section 624.401, relating to transacting insurance
715 without a certificate of authority, s. 624.437(4)(c)1., relating
716 to operating an unauthorized multiple-employer welfare
717 arrangement, or s. 626.902(1)(b), relating to representing or
718 aiding an unauthorized insurer.
719 11. Chapter 687, relating to interest and usurious
720 practices.
721 12. Section 721.08, s. 721.09, or s. 721.13, relating to
722 real estate timeshare plans.
723 13. Chapter 782, relating to homicide.
724 14. Chapter 784, relating to assault and battery.
725 15. Chapter 787, relating to kidnapping or human
726 trafficking.
727 16. Chapter 790, relating to weapons and firearms.
728 17. Former s. 796.03, former s. 796.04, s. 796.05, 796.06,
729 or s. 796.07, relating to prostitution.
730 18. Chapter 806, relating to arson.
731 19. Section 810.02(2)(c), relating to specified burglary of
732 a dwelling or structure.
733 20. Chapter 812, relating to theft, robbery, and related
734 crimes.
735 21. Chapter 815, relating to computer-related crimes.



736 22. Chapter 817, relating to fraudulent practices, false
737 pretenses, fraud generally, and credit card crimes.
738 23. Section 827.071, relating to commercial sexual
739 exploitation of children.
740 24. Chapter 831, relating to forgery and counterfeiting.
741 25. Chapter 832, relating to issuance of worthless checks
742 and drafts.
743 26. Section 836.05, relating to extortion.
744 27. Chapter 837, relating to perjury.
745 28. Chapter 838, relating to bribery and misuse of public
746 office.
747 29. Chapter 843, relating to obstruction of justice.
748 30. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
749 s. 847.07, relating to obscene literature and profanity.
750 31. Section 849.09, s. 849.14, s. 849.15, s. 849.23, or s.
751 849.25, relating to gambling.
752 32. Chapter 893, relating to drug abuse prevention and
753 control.
754 33. Section 914.22 or s. 914.23, relating to witnesses,
755 victims, or informants.
756 34. Section 918.12 or s. 918.13, relating to tampering with
757 jurors and evidence.
758 Section 16. Paragraph (a) of subsection (3) of section
759 787.01, Florida Statutes, is amended to read:
760 787.01 Kidnapping; kidnapping of child under age 13,
761 aggravating circumstances.—
762 (3) (a) A person who commits the offense of kidnapping upon
763 a child under the age of 13 and who, in the course of committing
764 the offense, commits one or more of the following:



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765 1. Aggravated child abuse, as defined in s. 827.03;
766 2. Sexual battery, as defined in chapter 794, against the
767 child;

768 3. Lewd or lascivious battery, lewd or lascivious
769 molestation, lewd or lascivious conduct, or lewd or lascivious
770 exhibition, in violation of s. 800.04 or s. 847.0135(5);

771 4. A violation of former s. 796.03 or former s. 796.04,
772 relating to prostitution, upon the child;

773 5. Exploitation of the child or allowing the child to be
774 exploited, in violation of s. 450.151; or

775 6. A violation of s. 787.06(3)(g), relating to human
776 trafficking,

777
778 commits a life felony, punishable as provided in s. 775.082, s.
779 775.083, or s. 775.084.

780 Section 17. Paragraph (a) of subsection (3) of section
781 787.02, Florida Statutes, is amended to read:

782 787.02 False imprisonment; false imprisonment of child
783 under age 13, aggravating circumstances.—

784 (3)(a) A person who commits the offense of false
785 imprisonment upon a child under the age of 13 and who, in the
786 course of committing the offense, commits any offense enumerated
787 in subparagraphs 1.-6. ~~subparagraphs 1.-5.~~, commits a felony of
788 the first degree, punishable by imprisonment for a term of years
789 not exceeding life or as provided in s. 775.082, s. 775.083, or
790 s. 775.084.

791 1. Aggravated child abuse, as defined in s. 827.03;

792 2. Sexual battery, as defined in chapter 794, against the
793 child;



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794 3. Lewd or lascivious battery, lewd or lascivious
795 molestation, lewd or lascivious conduct, or lewd or lascivious
796 exhibition, in violation of s. 800.04 or s. 847.0135(5);

797 4. A violation of former s. 796.03 or former s. 796.04,
798 relating to prostitution, upon the child;

799 5. Exploitation of the child or allowing the child to be
800 exploited, in violation of s. 450.151; or

801 6. A violation of s. 787.06(3)(g) relating to human
802 trafficking.

803 Section 18. Subsection (1) of section 794.056, Florida
804 Statutes, is amended to read:

805 794.056 Rape Crisis Program Trust Fund.—

806 (1) The Rape Crisis Program Trust Fund is created within
807 the Department of Health for the purpose of providing funds for
808 rape crisis centers in this state. Trust fund moneys shall be
809 used exclusively for the purpose of providing services for
810 victims of sexual assault. Funds credited to the trust fund
811 consist of those funds collected as an additional court
812 assessment in each case in which a defendant pleads guilty or
813 nolo contendere to, or is found guilty of, regardless of
814 adjudication, an offense provided in s. 775.21(6) and (10)(a),
815 (b), and (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s.
816 784.045; s. 784.048; s. 784.07; s. 784.08; s. 784.081; s.
817 784.082; s. 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); s.
818 787.025; s. 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08;
819 former s. 796.03; former s. 796.035; former s. 796.04; s.
820 796.05; s. 796.06; s. 796.07(1) ~~s. 796.07(2)(a)-(d) and (i)~~; s.
821 800.03; s. 800.04; s. 810.14; s. 810.145; s. 812.135; s.
822 817.025; s. 825.102; s. 825.1025; s. 827.071; s. 836.10; s.



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823 847.0133; s. 847.0135(2); s. 847.0137; s. 847.0145; s.
824 943.0435(4)(c), (7), (8), (9)(a), (13), and (14)(c); or s.
825 985.701(1). Funds credited to the trust fund also shall include
826 revenues provided by law, moneys appropriated by the
827 Legislature, and grants from public or private entities.

828 Section 19. Subsection (3) of section 796.08, Florida
829 Statutes, is amended to read:

830 796.08 Screening for HIV and sexually transmissible
831 diseases; providing penalties.—

832 (3) A person convicted under s. 796.07 of providing, or
833 offering to provide, something of value in exchange for sexual
834 activity ~~prostitution or procuring another to commit~~
835 ~~prostitution~~ must undergo screening for a sexually transmissible
836 disease, including, but not limited to, screening to detect
837 exposure to the human immunodeficiency virus, under direction of
838 the Department of Health. If the person is infected, he or she
839 must submit to treatment and counseling prior to release from
840 probation, community control, or incarceration. Notwithstanding
841 the provisions of s. 384.29, the results of tests conducted
842 pursuant to this subsection shall be made available by the
843 Department of Health to the offender, medical personnel,
844 appropriate state agencies, state attorneys, and courts of
845 appropriate jurisdiction in need of such information in order to
846 enforce the provisions of this chapter.

847 Section 20. Subsection (2) of section 796.09, Florida
848 Statutes, is amended to read:

849 796.09 Coercion; civil cause of action; evidence; defenses;
850 attorney's fees.—

851 (2) As used in this section, the term "prostitution" has



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852 the same meaning as in s. 796.011 ~~s. 796.07~~.

853 Section 21. Subsection (2) of section 893.138, Florida
854 Statutes, is amended to read:

855 893.138 Local administrative action to abate certain
856 activities declared public nuisances.—

857 (2) Any place or premises that has been used:

858 (a) On more than two occasions within a 6-month period, as
859 the site of a violation of s. 796.06 or s. 796.07;

860 (b) On more than two occasions within a 6-month period, as
861 the site of the unlawful sale, delivery, manufacture, or
862 cultivation of any controlled substance;

863 (c) On one occasion as the site of the unlawful possession
864 of a controlled substance, where such possession constitutes a
865 felony and that has been previously used on more than one
866 occasion as the site of the unlawful sale, delivery,
867 manufacture, or cultivation of any controlled substance;

868 (d) By a criminal gang for the purpose of conducting
869 criminal gang activity as defined by s. 874.03;

870 (e) On more than two occasions within a 6-month period, as
871 the site of a violation of s. 812.019 relating to dealing in
872 stolen property;

873 (f) On two or more occasions within a 6-month period, as
874 the site of a violation of chapter 499; or

875 (g) On more than two occasions within a 6-month period, as
876 the site of a violation of any combination of the following:

- 877 1. Section 782.04, relating to murder;
878 2. Section 782.051, relating to attempted felony murder;
879 3. Section 784.045(1)(a)2., relating to aggravated battery
880 with a deadly weapon; or



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881 4. Section 784.021(1)(a), relating to aggravated assault
882 with a deadly weapon without intent to kill,

883
884 may be declared to be a public nuisance, and such nuisance may
885 be abated pursuant to the procedures provided in this section.

886 Section 22. Paragraph (a) of subsection (8) of section
887 895.02, Florida Statutes, is amended to read:

888 895.02 Definitions.—As used in ss. 895.01–895.08, the term:

889 (8) “Racketeering activity” means to commit, to attempt to
890 commit, to conspire to commit, or to solicit, coerce, or
891 intimidate another person to commit:

892 (a) Any crime that is chargeable by petition, indictment,
893 or information under the following provisions of the Florida
894 Statutes:

895 1. Section 210.18, relating to evasion of payment of
896 cigarette taxes.

897 2. Section 316.1935, relating to fleeing or attempting to
898 elude a law enforcement officer and aggravated fleeing or
899 eluding.

900 3. Chapter 379, relating to the illegal sale, purchase,
901 collection, harvest, capture, or possession of wild animal life,
902 freshwater aquatic life, or marine life, and related crimes.

903 4. Section 403.727(3)(b), relating to environmental
904 control.

905 5. Section 409.920 or s. 409.9201, relating to Medicaid
906 fraud.

907 6. Section 414.39, relating to public assistance fraud.

908 7. Section 440.105 or s. 440.106, relating to workers’
909 compensation.



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910 8. Section 443.071(4), relating to creation of a fictitious
911 employer scheme to commit reemployment assistance fraud.

912 9. Section 465.0161, relating to distribution of medicinal
913 drugs without a permit as an Internet pharmacy.

914 10. Section 499.0051, relating to crimes involving
915 contraband, adulterated, or misbranded drugs.

916 11. Part IV of chapter 501, relating to telemarketing.

917 12. Chapter 517, relating to sale of securities and
918 investor protection.

919 13. Section 550.235 or s. 550.3551, relating to dogracing
920 and horseracing.

921 14. Chapter 550, relating to jai alai frontons.

922 15. Section 551.109, relating to slot machine gaming.

923 16. Chapter 552, relating to the manufacture, distribution,
924 and use of explosives.

925 17. Chapter 560, relating to money transmitters, if the
926 violation is punishable as a felony.

927 18. Chapter 562, relating to beverage law enforcement.

928 19. Section 624.401, relating to transacting insurance
929 without a certificate of authority, s. 624.437(4)(c)1., relating
930 to operating an unauthorized multiple-employer welfare
931 arrangement, or s. 626.902(1)(b), relating to representing or
932 aiding an unauthorized insurer.

933 20. Section 655.50, relating to reports of currency
934 transactions, when such violation is punishable as a felony.

935 21. Chapter 687, relating to interest and usurious
936 practices.

937 22. Section 721.08, s. 721.09, or s. 721.13, relating to
938 real estate timeshare plans.



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939 23. Section 775.13(5) (b), relating to registration of
940 persons found to have committed any offense for the purpose of
941 benefiting, promoting, or furthering the interests of a criminal
942 gang.

943 24. Section 777.03, relating to commission of crimes by
944 accessories after the fact.

945 25. Chapter 782, relating to homicide.

946 26. Chapter 784, relating to assault and battery.

947 27. Chapter 787, relating to kidnapping, human smuggling,
948 or human trafficking.

949 28. Chapter 790, relating to weapons and firearms.

950 29. Chapter 794, relating to sexual battery, but only if
951 such crime was committed with the intent to benefit, promote, or
952 further the interests of a criminal gang, or for the purpose of
953 increasing a criminal gang member's own standing or position
954 within a criminal gang.

955 30. Former s. 796.03, former s. 796.035, former s. 796.04,
956 s. 796.05, s. 796.06, or s. 796.07, relating to prostitution.

957 31. Chapter 806, relating to arson and criminal mischief.

958 32. Chapter 810, relating to burglary and trespass.

959 33. Chapter 812, relating to theft, robbery, and related
960 crimes.

961 34. Chapter 815, relating to computer-related crimes.

962 35. Chapter 817, relating to fraudulent practices, false
963 pretenses, fraud generally, credit card crimes, and patient
964 brokering.

965 36. Chapter 825, relating to abuse, neglect, or
966 exploitation of an elderly person or disabled adult.

967 37. Section 827.071, relating to commercial sexual



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968 exploitation of children.
969 38. Section 828.122, relating to fighting or baiting
970 animals.
971 39. Chapter 831, relating to forgery and counterfeiting.
972 40. Chapter 832, relating to issuance of worthless checks
973 and drafts.
974 41. Section 836.05, relating to extortion.
975 42. Chapter 837, relating to perjury.
976 43. Chapter 838, relating to bribery and misuse of public
977 office.
978 44. Chapter 843, relating to obstruction of justice.
979 45. Section 847.011, s. 847.012, s. 847.013, s. 847.06, or
980 s. 847.07, relating to obscene literature and profanity.
981 46. Chapter 849, relating to gambling, lottery, gambling or
982 gaming devices, slot machines, or any of the provisions within
983 that chapter.
984 47. Chapter 874, relating to criminal gangs.
985 48. Chapter 893, relating to drug abuse prevention and
986 control.
987 49. Chapter 896, relating to offenses related to financial
988 transactions.
989 50. Sections 914.22 and 914.23, relating to tampering with
990 or harassing a witness, victim, or informant, and retaliation
991 against a witness, victim, or informant.
992 51. Sections 918.12 and 918.13, relating to tampering with
993 jurors and evidence.
994 Section 23. Section 938.085, Florida Statutes, is amended
995 to read:
996 938.085 Additional cost to fund rape crisis centers.—In



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997 addition to any sanction imposed when a person pleads guilty or
998 nolo contendere to, or is found guilty of, regardless of
999 adjudication, a violation of s. 775.21(6) and (10)(a), (b), and
1000 (g); s. 784.011; s. 784.021; s. 784.03; s. 784.041; s. 784.045;
1001 s. 784.048; s. 784.07; s. 784.08; s. 784.081; s. 784.082; s.
1002 784.083; s. 784.085; s. 787.01(3); s. 787.02(3); 787.025; s.
1003 787.06; s. 787.07; s. 794.011; s. 794.05; s. 794.08; former s.
1004 796.03; former s. 796.035; former s. 796.04; s. 796.05; s.
1005 796.06; s. 796.07(1) ~~s. 796.07(2)(a)-(d) and (i)~~; s. 800.03; s.
1006 800.04; s. 810.14; s. 810.145; s. 812.135; s. 817.025; s.
1007 825.102; s. 825.1025; s. 827.071; s. 836.10; s. 847.0133; s.
1008 847.0135(2); s. 847.0137; s. 847.0145; s. 943.0435(4)(c), (7),
1009 (8), (9)(a), (13), and (14)(c); or s. 985.701(1), the court
1010 shall impose a surcharge of \$151. Payment of the surcharge shall
1011 be a condition of probation, community control, or any other
1012 court-ordered supervision. The sum of \$150 of the surcharge
1013 shall be deposited into the Rape Crisis Program Trust Fund
1014 established within the Department of Health by chapter 2003-140,
1015 Laws of Florida. The clerk of the court shall retain \$1 of each
1016 surcharge that the clerk of the court collects as a service
1017 charge of the clerk's office.

1018 Section 24. This act shall take effect October 1, 2024.

1019
1020 ===== T I T L E A M E N D M E N T =====

1021 And the title is amended as follows:

1022 Delete everything before the enacting clause
1023 and insert:

1024 A bill to be entitled

1025 An act relating to prostitution and related acts;



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1026 creating s. 796.011, F.S.; defining and redefining
1027 terms; creating s. 796.031, F.S.; prohibiting adults
1028 from offering to commit, committing, or engaging in
1029 prostitution, lewdness, or assignation; providing
1030 criminal penalties; providing that specified testimony
1031 concerning reputation is admissible in evidence in the
1032 trial of persons charged with certain offenses;
1033 requiring a court to order that a person sentenced for
1034 certain violations attend an educational program;
1035 authorizing judicial circuits to establish certain
1036 educational programs; repealing s. 796.04, F.S.,
1037 relating to forcing, compelling, or coercing another
1038 to become a prostitute; amending s. 796.06, F.S.;
1039 prohibiting the owning, establishing, maintaining,
1040 operating, using, letting, or renting of a building,
1041 residence, place, or structure, in whole or in part,
1042 or a trailer or any other conveyance, with knowledge
1043 or reckless disregard that it will be used for the
1044 purpose of commercial sex; prohibiting the receiving,
1045 or offering or agreeing to receive, a person into a
1046 building, residence, place, or structure, or a trailer
1047 or any other conveyance, for the purpose of commercial
1048 sexual activity or to allow a person to remain there
1049 for such purpose; providing criminal penalties;
1050 providing enhanced criminal penalties for second or
1051 subsequent violations; providing that specified
1052 testimony concerning reputation is admissible in
1053 evidence in the trial of persons charged with certain
1054 offenses; requiring the reclassification of offenses



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1055 under specified circumstances; amending s. 796.07,
1056 F.S.; deleting definitions; prohibiting a person from
1057 providing, or offering to provide, something of value
1058 in exchange for sexual activity; deleting prohibited
1059 acts relating to prostitution and related acts;
1060 deleting a provision authorizing a police officer to
1061 testify under certain circumstances; providing
1062 criminal penalties; providing enhanced criminal
1063 penalties for second or subsequent violations;
1064 deleting a provision requiring the offering of
1065 admission into certain programs; requiring a court to
1066 order that certain defendants perform community
1067 service, pay for and attend an educational program,
1068 pay a civil penalty, and receive sexually transmitted
1069 disease testing; providing requirements for the
1070 proceeds of the civil penalty; deleting a minimum
1071 mandatory period of incarceration for the commission
1072 of a certain offense; conforming provisions to changes
1073 made by the act; amending ss. 60.05, 322.28, 397.4073,
1074 397.417, 435.07, 456.074, 480.041, 480.043, 480.046,
1075 772.102, 787.01, 787.02, 794.056, 796.08, 796.09,
1076 893.138, 895.02, 938.085, and 943.0433, F.S.;

1077 conforming provisions to changes made by the act;
1078 conforming cross-references; providing an effective
1079 date.