

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED	<u> </u>	(Y/N)
ADOPTED AS AMENDED	<u> </u>	(Y/N)
ADOPTED W/O OBJECTION	<u> </u>	(Y/N)
FAILED TO ADOPT	<u> </u>	(Y/N)
WITHDRAWN	<u> </u>	(Y/N)
OTHER	<u> </u>	

1 Committee/Subcommittee hearing bill: Judiciary Committee
2 Representative Amesty offered the following:

Amendment

Remove lines 135-169 and insert:

6 However, a minor who qualifies for one of the exceptions in this
7 subsection to whom this subsection otherwise applies may not be
8 employed ~~if the employment, whether~~ as a professional
9 entertainer or otherwise, if such employment involves nudity, as
10 defined in s. 847.001, on the part of the minor and such nudity
11 is intended as a form of adult entertainment, or be employed by
12 an adult entertainment establishment, as defined in s. 874.001.

13 (3)(a) It is unlawful for any vendor licensed under the
14 beverage law to employ as a manager or person in charge or as a
15 bartender any person:

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16 1. Who has been convicted within the last past 5 years of
17 any offense against the beverage laws of this state, the United
18 States, or any other state.

19 2. Who has been convicted within the last past 5 years in
20 this state or any other state or the United States of soliciting
21 for prostitution, pandering, letting premises for prostitution,
22 keeping a disorderly place, or any felony violation of chapter
23 893 or the controlled substances act of any other state or the
24 Federal Government.

25 3. Who has, in the last past 5 years, been convicted of
26 any felony in this state, any other state, or the United States.

27
28 The term "conviction" shall include an adjudication of guilt on
29 a plea of guilty or nolo contendere or forfeiture of a bond when
30 such person is charged with a crime.

31 (b) This subsection shall not apply to any vendor licensed
32 under the provisions of s. 563.02(1)(a) or s. 564.02(1)(a).

33 Section 2. Section 787.30, Florida Statutes, is created to
34 read:

35 787.30 Employing persons under the age of 21 years in
36 adult entertainment establishments prohibited.-

37 (1)(a) Except as provided in paragraph (b), an owner, a
38 manager, an employee, or a contractor of an adult entertainment
39 establishment who knowingly employs, contracts with, contracts
40 with another person to employ, or otherwise permits a person

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41 younger than 21 years of age to perform or work in an adult
42 entertainment establishment commits a misdemeanor of the first
43 degree, punishable as provided in s. 775.082 or s. 775.083.

44 (b) An owner, a manager, an employee, or a contractor of
45 an adult entertainment establishment who knowingly employs,
46 contracts with, contracts with another person to employ, or
47 otherwise permits a person younger than 21 years of age to
48 perform or work nude in an adult entertainment establishment
49 commits a felony of the second degree, punishable as provided in
50 s. 775.082, s. 775.083, or s. 775.084.

51 (2) An owner, a manager, an employee, or a contractor of
52 an adult entertainment establishment who permits a person to
53 perform as an entertainer or work in any capacity for the
54 establishment shall carefully check the person's driver license
55 or identification card issued by this state or another state of
56 the United States, a passport, or a United States Uniformed
57 Services identification card presented by the person and act in
58 good faith and in reliance upon the representation and
59 appearance of the person in the belief that the person is 21
60 years of age or older.

61 (3) As used in this section, the term:

62 (a) "Adult entertainment establishment" has the same
63 meaning as in s. 847.001.

64 (b) "Nude" means the showing of the human male or female
65 genitals, pubic area, or buttock with less than a fully opaque

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66 covering; or the showing of the female breast with less than a
67 fully opaque covering of any portion thereof below the top of
68 the nipple; or the depiction of covered male genitals in a
69 discernibly turgid state. A mother's breastfeeding of her baby
70 does not under any circumstance constitute nudity, irrespective
71 of whether or not the nipple is covered during or incidental to
72 feeding.