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LEGISLATIVE ACTION

Senate

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House

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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



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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.



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.