

CHAPTER 2020-84

Committee Substitute for House Bill No. 675

An act relating to exposure of sexual organs; amending s. 800.03, F.S.; increasing criminal penalties for exposure of sexual organs for a second or subsequent offense; amending s. 901.15, F.S.; authorizing warrantless arrests when a law enforcement officer has probable cause to believe that a person has violated s. 800.03, F.S.; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Section 800.03, Florida Statutes, is amended to read:

800.03 Exposure of sexual organs.—

(1) A person commits unlawful exposure of sexual organs by:

(a) Exposing or exhibiting his or her ~~It is unlawful to expose or exhibit one's~~ sexual organs in public or on the private premises of another, or so near thereto as to be seen from such private premises, in a vulgar or indecent manner; ~~or to be~~

(b) Being naked in public in a vulgar or indecent manner except in any place provided or set apart for that purpose.

(2)(a) Except as provided in paragraph (b), a violation of this section is a misdemeanor of the first degree, punishable as provided in s. 775.082 or s. 775.083.

(b) A second or subsequent violation of this section is a felony of the third degree, punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

(3) The exposure of sexual organs by any of the following does not violate this section:

(a) A ~~mother~~ mother's breastfeeding of her baby; or does not under any circumstance violate this section

(b) An individual who is merely naked at any place provided or set apart for that purpose.

Section 2. Paragraph (e) is added to subsection (9) of section 901.15, Florida Statutes, to read:

901.15 When arrest by officer without warrant is lawful.—A law enforcement officer may arrest a person without a warrant when:

(9) There is probable cause to believe that the person has committed:

(e) An exposure of sexual organs in violation of s. 800.03.

Section 3. This act shall take effect October 1, 2020.

Approved by the Governor June 23, 2020.

Filed in Office Secretary of State June 23, 2020.