

## **CS/HB 675 – Exposure of Sexual Organs**

This bill amends s. 800.03, F.S., adding an **unranked, 3<sup>rd</sup> degree felony (Level 1 by default)** for a second or subsequent violation of “exposing or exhibiting his or her 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.” Currently, it is a 1<sup>st</sup> degree misdemeanor regardless of how many times one commits this act, so now only a first violation would result in a 1<sup>st</sup> degree misdemeanor. Furthermore, this felony would also apply for a second or subsequent violation of (amended language in bold) “**being naked in public in a vulgar or indecent manner.**”

Per FDLE, in FY 18-19, 12 people were arrested for a second or subsequent violation under s. 800.03, F.S., with 9 guilty/convicted and none having adjudication withheld. It is not known how many of these people were exhibiting sexual organs in a vulgar or indecent manner, nor is it known how many were naked in public or who would now fit the new definition of being naked in public in a vulgar or indecent manner.

In FY 17-18, the incarceration rate for a Level 1, 3<sup>rd</sup> degree felony was 8.7%.

**EDR RECOMMENDED ESTIMATE: Positive Insignificant**