**MISSION UPDATE (6/2020)
Shirley Mason, Executive Director**

**B.E.A.C.H.E.S. Foundation Institute**

 **1. Progress made on reclaiming Florida’s clothing-optional beaches
2. 2020 Florida Legislative Session adds new nudity law
3. Volunteers ramp up for more power plays**

Progress made on reclaiming Florida’s clothing-optional beaches

You can rightly be proud of the targeted actions taken by Florida naturists during the 2020 Florida Legislative Session. Armed with carefully crafted message platforms, professionally produced supporting materials and a whole lot of passion, Florida naturists engaged with individual legislators to both clarify the Florida law regarding non-sexual public nudity and to re-establish our historic clothing-optional beaches lost to the naturist community at a few Florida state parks in the mid-1980s when an anti-nudity “Rule” was established.

We will not rest until we can get clarifying language added to Florida Statute 800.03 - Florida’s indecent exposure law. This action is sorely needed to protect families, individuals and tourists who enjoy skinny-dipping and to protect females who enjoy top-free recreation (an Equal Protection/14th Amendment issue). This language will prevent wrongful arrests, costly citations and illegal prosecutions and convictions by misguided law enforcement professionals.

B.E.A.C.H.E.S. Foundation Institute, an educational/environmental/charitable 501(c) (3) nonprofit organization, is spearheading these efforts alongside Florida’s strongest naturist organizations. Known as the Florida Free Beach Unity Coalition, these organizations are with us on the front lines in this fight for body freedom:
Palm Beach Naturists
South Florida Free Beaches
Tampa Bay Free Beaches and
Treasure Coast Naturists.
Together we are engaged in this three-phase strategic plan. This is Phase II v.2.0.

2020 Florida Legislative Session adds new nudity law

During this phase we crafted a bill to clarify simple nude sunbathing to match the Florida Supreme Court’s interpretation of FS 800.03 in [Hoffman v. Carson, 250 So.2nd 891 (Fla. 1971)]. SB 850 was sponsored by Senator Jason Pizzo, District 38 (Democrat). *Note: Haulover Beach is in his District.*

For the third year in a row, two other legislators introduced two bills to change FS 800.03. SB 1018 was introduced by Senator Linda Stewart. **HB 675** was introduced by Rep. Amy Mercado and focused on increasing the penalty and arrests by law enforcement under reasonable suspicion of lewd behavior. The two sponsors of these bills understood the naturist issue and didn’t object to its intent, however, they were reluctant to include Senator Pizzo’s bill language in the body of their bills because they thought that it may derail the passage.

Even though Senator Pizzo’s bill easily passed every Senate committee that heard it - with the exception of the Rules Committee where it died - the proviso language directs the Department of Environmental Protection (DEP) overseeing state parks to modify their anti-nudity rules and work with [VisitFlorida](http://visitflorida.com/) for establishing clothing-optional beaches.

**STATUS:** HB 675 passed the House Criminal Justice Committee 14-1 and the Senate Justice Committee after another senator amended the bill so it was no longer compatible with naturist language. The Appropriations Committee passed it 9-0 and the Judiciary Committee 16-0. It then passed the House 118-0.

In the Senate, its text was amended out and replaced by the text of SB 1018. SB 1018 was passed by the Judiciary Committee 5-0 but was tabled in the Rules Committee on 3/10/20.

**RESULT:** Even though no bill was passed during the 2020 Legislative Session specifically clarifying the language in FS 800.03’s body, stating that people who are simply nude or who are nude at “nude or clothing-optional beaches” (being legitimate and legal), naturists made tremendous progress and legislators get it.

 **This first attempt shows that somewhat favorable legislation did end up being passed in the *proviso language*** *[a clause in a bill that sets out specific exemptions and intentions of lawmakers to the general law].*

Volunteers ramp up for more power plays

With your help, Florida free beach naturists will continue their righteous multi-pronged educational and diplomatic efforts to garner support from key legislators as well as hospitality and tourism leaders in preparation for the 2021 Legislative Session.

We will be successful. We’ve already started by re-hiring former Lt. Governor and attorney Jeff Kottcamp and Ramon Maury, a government affairs professional since 1993 for South Florida Free Beaches and with AANR-FL since 2013.

*\*See 2020 Legislative Report by Jeff Kottkamp on B.E.A.C.H.E.S. web site:* [*beachesfoundation.org.*](http://beachesfoundation.org/)

This summer, naturist leaders are setting meetings to get sponsors and co-sponsors for new bills as well as conducting letter-writing campaigns.

Remember, the Unity Coalition is made up of all-volunteers and we need physical and financial assistance from both individuals and businesses who benefit from having more clothes-free beaches in Florida and throughout North America.

Adding more clothing-optional beaches for this huge untapped naturist market provides an economic engine for a community. It also secures mainstream status to grow the market exponentially, ­which benefits everyone.

This includes YOU and your family personally for your expanded au-naturel recreation choices and enjoyment.

You know many of these free-beach activist-leaders and organizations and their impressive history of creating and mentoring successful clothes-free beaches. Thanks to their efforts, all of us can now enjoy clothing-optional fun at these internationally known beaches - Bates Beach in California, Blind Creek Beach, Apollo Beach, Playalinda Beach and Haulover Beach in Florida. In Canada we are fortunate to have clothing-optional recreational use at Hanlan’s Beach in Toronto and Wreck Beach in Vancouver.

Their efforts are a labor of love that benefits naturists worldwide and the greater local communities.

**Aren’t we worth your tax-deductible investment?**

From Florida State Website:

**CS/HB 675: Exposure of Sexual Organs**

GENERAL BILL by Judiciary Committee ; Mercado ; (CO-INTRODUCERS) Brown ; Slosberg

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| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Exposure of Sexual Organs; Increases criminal penalties for exposure of sexual organs for second or subsequent offense; authorizes warrantless arrests when law enforcement officer has probable cause to believe that person has unlawfully exposures sexual organs.

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| --- | --- | --- |
| 6/16/2020 |  | • Signed by Officers and presented to Governor |
| 6/23/2020 |  | • Approved by Governor |
| 6/24/2020 |  | • Chapter No. [2020-84](http://laws.flrules.org/2020/84) |

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

**This is the text of the new law:**

The exposure of sexual organs by any of the following

31 does not violate this section:

32 (a) A mother mother's breastfeeding of her baby; or does

33 not under any circumstance violate this section

34 **(b) An individual who is merely naked at any place**

**35 provided or set apart for that purpose.**

**Text of the analysis explaining the language and implications of HB 675:**

Under s. 800.03, F.S., a person commits indecent exposure when he or she:

Exposes or exhibits his or her sexual organs in a vulgar or indecent manner:

6  In public; or on another person’s private premises; or  Near enough to another person’s private

premises that the sexual organs may be seen from such private premises.

**7  Is naked in public, unless the particular public place is intended for nudity.**

**Footnotes to the new law. See #7:**

1 - Section 800.04, F.S., also criminalizes lewd or lascivious battery, lewd or lascivious molestation, and lewd or lascivious conduct when committed on or in the presence of a person less than 16 years of age.

2 - S. 800.04(7), F.S.

3 - A second degree felony is punishable by up to 15 years in prison and a $10,000 fine. A third degree felony is punishable by up to five years in prison and a $5,000 fine. Ss. 775.082, 775.083, or 775.084, F.S.

4 - If an offender is: younger than 18, the offense is a third degree felony; 18 or older, the offense is a second degree felony, punishable as provided in ss. 775.082, 775.083, or 775.084, F.S.

5 - Chesebrough v. State, 255 So. 2d 675, 677 (Fla. 1971).

6 - A vulgar or indecent manner means in a manner related to lascivious exhibition of private parts, which exhibition must be lewd, meaning involving an unlawful indulgence in lust, eager for sexual indulgence. Duvallon v. State, 404 So.2d 196, 197 (Fla. 1st DCA 1981) citing Chesebrough 255 So. 2d at 677, 678. “‘Lewd’, ‘lascivious' and ‘indecent’ are synonymous and connote wicked, lustful, unchaste, licentious, or sensual design on the part of the perpetrator.” Wonyetye v. State, 648 So. 2d 797, 799 (Fla. 1st DCA 1994) citing Boles v. State, 158 Fla. 220, 221, 27 So.2d 293, 294 (Fla.1946).

**7 - Such as a nude beach.**

8 - A first degree misdemeanor is punishable by up to one year in county jail and a $1,000 fine. Ss. 775.082 or 775.083, F.S.

9 - State v. Kees, 919 So. 2d 504, 506-507 (Fla. 5th DCA 2005).