

## Committee on Criminal Justice

### **CS/HB 777 — Offenses Involving Children**

by Judiciary Committee and Rep. Plakon and others (CS/CS/SB 1136 by Appropriations Committee on Criminal and Civil Justice; Criminal Justice Committee; and Senator Collins)

The bill prohibits certain age-related defenses from being raised in a prosecution for any offense related to kidnapping, false imprisonment, luring or enticing a child, interference with custody, removing minors from the state or concealing minors, contrary to state agency order or court order, human trafficking, or human smuggling, when the victim's age is an element of the offense. Ignorance of the victim's age, misrepresentation of a victim's age by any person or a bona fide belief that a victim is over a specified age is also not a defense. However, the bill provides an exception for s. 787.30, F.S., relating to employment of persons in adult entertainment establishments.

The bill increases the age of a victim involved in luring or enticing offenses from 12 to 14 years of age.

The bill also increases the penalties for a person 18 years of age or older who intentionally lures or entices, or attempts to lure or entice, a child under the age of 14 into or out of a structure, dwelling, or conveyance for an unlawful purpose, from:

- A first degree misdemeanor to a third degree felony.
- A third degree felony to a second degree felony for a second or subsequent offense.
- A third degree felony to a second degree felony, if the offender has been previously convicted of a violation of ch. 794, F.S., relating to sexual battery, s. 800.04, F.S., relating to lewd or lascivious offenses committed on or in the presence of persons less than 16 years of age or s. 847.0135(5), F.S., relating to lewd or lascivious exhibition using a computer, or a violation of a similar law of another jurisdiction.

If approved by the Governor, or allowed to become law without the Governor's signature, these provisions take effect October 1, 2025.

*Vote: Senate 37-0; House 111-0*