

By Senator Brown-Waite

10-280-01

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A bill to be entitled
An act relating to the crime of contributing to
the delinquency or dependency of a child;
amending s. 827.04, F.S.; defining the terms
"child in need of services," "delinquent
child," and "dependent child"; providing an
effective date.

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

Section 1. Section 827.04, Florida Statutes, is
amended to read:

827.04 Contributing to the delinquency or dependency
of a child; penalty.--

(1) As used in this section, the term:

(a) "Child in need of services" has the meaning
assigned to that term in s. 984.03.

(b) "Delinquent child" means a child who commits a
violation of law or delinquent act, as defined in s. 984.03.

(c) "Dependent child" means a child who satisfies the
criteria to be a child who is found to be dependent, as
defined in s. 39.01, regardless of whether the child is
adjudicated dependent by the court.

(2)~~(1)~~ Any person who:

(a) Commits any act which causes, tends to cause,
encourages, or contributes to a child becoming a delinquent or
dependent child or a child in need of services; or

(b) Induces or endeavors to induce, by act, threat,
command, or persuasion, a child to commit or perform any act,
follow any course of conduct, or live in a manner that causes

1 or tends to cause such child to become or to remain a
2 dependent or delinquent child or a child in need of services,
3
4 commits a misdemeanor of the first degree, punishable as
5 provided in s. 775.082 or s. 775.083.

6 (3)~~(2)~~ It is not necessary for any court exercising
7 juvenile jurisdiction to make an adjudication that any child
8 is delinquent or dependent or a child in need of services in
9 order to prosecute a violation of this section. An
10 adjudication that a child is delinquent or dependent or a
11 child in need of services shall not preclude a subsequent
12 prosecution of a violation of this section.

13 (4)~~(3)~~ A person 21 years of age or older who
14 impregnates a child under 16 years of age commits an act of
15 child abuse which constitutes a felony of the third degree,
16 punishable as provided in s. 775.082, s. 775.083, or s.
17 775.084. A person who impregnates a child in violation of this
18 subsection commits an offense under this subsection regardless
19 of whether the person is found to have committed, or has been
20 charged with or prosecuted for, any other offense committed
21 during the course of the same criminal transaction or episode,
22 including, but not limited to, an offense proscribed under s.
23 800.04, relating to lewd, lascivious, or indecent assault or
24 act upon any person under 16 years of age. Neither the
25 victim's lack of chastity nor the victim's consent is a
26 defense to the crime proscribed under this subsection.

27 Section 2. This act shall take effect July 1, 2001.
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SENATE SUMMARY

With respect to the crime of contributing to the delinquency or dependency of a child, defines the terms "child in need of services," "delinquent child," and "dependent child."