

By Representative Gibson

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

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

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

13           827.04 Contributing to the delinquency or dependency  
14 of a child; penalty.--

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

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

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

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

24           (2)~~(1)~~ Any person who:

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

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

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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,  
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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."