

By Senator Latvala

19-343-01

See HB 25

1 A bill to be entitled
 2 An act relating to offenses against children;
 3 amending s. 787.025, F.S.; revising provisions
 4 to prohibit certain previously convicted
 5 offenders from intentionally luring or
 6 enticing, or attempting to lure or entice, a
 7 child under age 15 into a structure, dwelling,
 8 or conveyance without consent of parent or
 9 legal guardian; providing penalties; providing
 10 an effective date.

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

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 14 Section 1. Subsection (2) and (3) of section 787.025,
 15 Florida Statutes, are amended to read:

16 787.025 Luring or enticing a child.--

17 (2)~~(a)~~ A person over the age of 18 who, having been
 18 previously convicted of a violation of chapter 794 or s.
 19 800.04, or a violation of a similar law of another
 20 jurisdiction, intentionally lures or entices, or attempts to
 21 lure or entice, a child under the age of 15 ~~12~~ into a
 22 structure, dwelling, or conveyance without the consent of the
 23 child's parent or legal guardian ~~for other than a lawful~~
 24 ~~purpose~~ commits a felony of the third degree, punishable as
 25 provided in s. 775.082, s. 775.083, or s. 775.084.

26 ~~(b) For purposes of this section, the luring or~~
 27 ~~enticing, or attempted luring or enticing, of a child under~~
 28 ~~the age of 12 into a structure, dwelling, or conveyance~~
 29 ~~without the consent of the child's parent or legal guardian~~
 30 ~~shall be prima facie evidence of other than a lawful purpose.~~

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1 (3) It is an affirmative defense to a prosecution
2 under this section that:
3 (a) The person reasonably believed that his or her
4 action was necessary to prevent the child from being seriously
5 injured.
6 ~~(b) The person lured or enticed, or attempted to lure~~
7 ~~or entice, the child under the age of 12 into a structure,~~
8 ~~dwelling, or conveyance for a lawful purpose.~~
9 (b)~~(c)~~ The person's actions were reasonable under the
10 circumstances and the defendant did not have any intent to
11 harm the health, safety, or welfare of the child.
12 Section 2. This act shall take effect July 1, 2001.

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15 HOUSE SUMMARY

16 Prohibits certain previously convicted offenders from
17 intentionally luring or enticing, or attempting to lure
18 or entice, a child under age 15 into a structure,
19 dwelling, or conveyance without consent of parent or
20 legal guardian. Provides penalties.
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