

By Senator Wright

8-00518-24

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1 A bill to be entitled
2 An act relating to sheltering or aiding unmarried
3 minors; amending ss. 984.085 and 985.731, F.S.;
4 creating a presumption of knowledge upon proof that an
5 unmarried minor has not attained 18 years of age for
6 the purpose of unlawfully sheltering or aiding
7 unmarried minors; providing a defense to unlawfully
8 sheltering or aiding unmarried minors; increasing
9 criminal penalties for unlawfully sheltering or aiding
10 unmarried minors; providing an effective date.

11
12 Be It Enacted by the Legislature of the State of Florida:

13
14 Section 1. Section 984.085, Florida Statutes, is amended to
15 read:

16 984.085 Sheltering unmarried minors; aiding unmarried minor
17 runaways; presumption; defense; penalty ~~violations~~.-

18 (1) (a) A person who is not an authorized agent of the
19 Department of Juvenile Justice or the Department of Children and
20 Families may not knowingly shelter an unmarried minor for more
21 than 24 hours without the consent of the minor's parent or
22 guardian or without notifying a law enforcement officer of the
23 minor's name and the fact that the minor is being provided
24 shelter.

25 (b) A person may not knowingly provide aid to an unmarried
26 minor who has run away from home without first contacting the
27 minor's parent or guardian or notifying a law enforcement
28 officer. The aid prohibited under this paragraph includes
29 assisting the minor in obtaining shelter, such as hotel

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30 lodgings.

31 (c) Proof that an unmarried minor has not attained 18 years
32 of age creates a presumption that the person knew the minor's
33 age or acted in reckless disregard thereof.

34 (2) It is a defense to a violation under this section that
35 the defendant had reasonable cause to believe that his or her
36 action was necessary to preserve the minor from danger to his or
37 her welfare.

38 (3) A person who violates this section commits a felony of
39 the third ~~misdemeanor of the first~~ degree, punishable as
40 provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

41 Section 2. Section 985.731, Florida Statutes, is amended to
42 read:

43 985.731 Sheltering unmarried minors; aiding unmarried minor
44 runaways; presumption; defense; penalty violations.-

45 (1) (a) A person who is not an authorized agent of the
46 department or the Department of Children and Families may not
47 knowingly shelter an unmarried minor for more than 24 hours
48 without the consent of the minor's parent or guardian or without
49 notifying a law enforcement officer of the minor's name and the
50 fact that the minor is being provided shelter.

51 (b) A person may not knowingly provide aid to an unmarried
52 minor who has run away from home without first contacting the
53 minor's parent or guardian or notifying a law enforcement
54 officer. The aid prohibited under this paragraph includes
55 assisting the minor in obtaining shelter, such as hotel
56 lodgings.

57 (c) Proof that an unmarried minor has not attained 18 years
58 of age creates a presumption that the person knew the minor's

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59 age or acted in reckless disregard thereof.

60 (2) It is a defense to a violation under this section that
61 the defendant had reasonable cause to believe that his or her
62 action was necessary to preserve the minor from danger to his or
63 her welfare.

64 (3) A person who violates this section commits a felony of
65 the third ~~misdemeanor of the first~~ degree, punishable as
66 provided in s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

67 Section 3. This act shall take effect October 1, 2024.