

By Senator Wright

8-00098-25

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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; providing an effective date.

10  
11 Be It Enacted by the Legislature of the State of Florida:

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

15           984.085 Sheltering unmarried minors; aiding unmarried minor  
16           runaways; presumption; defense; penalty ~~violations.~~-

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

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

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

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

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

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

42       985.731 Sheltering unmarried minors; aiding unmarried minor  
43 runaways; presumption; defense; penalty violations.-

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

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

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

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

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

66           Section 3. This act shall take effect October 1, 2025.