

## **SB 450 – Sheltering or Aiding Unmarried Minors (Similar HB 875)**

This bill amends multiple statutes. First, it amends s. 984.085, F.S., which prohibits sheltering an unmarried minor for more than 24 hours without the consent of a parent/guardian or without notifying a law enforcement officer, as well as knowingly providing aid to an unmarried minor, which includes assisting the minor in obtaining shelter, such as hotel lodgings. It adds that “proof that an unmarried minor has not attained 18 years of age creates a presumption that the person knew the minor’s age or acted in reckless disregard thereof.” Additionally, it includes the following language: “it is a defense to a violation under this section that the defendant had reasonable cause to believe that his or her action was necessary to preserve the minor from danger to his or her welfare.” Lastly, it increases the 1<sup>st</sup> degree misdemeanor for violating these prohibited acts to an **unranked, 3<sup>rd</sup> degree felony (Level 1 by default)**. This bill also amends s. 985.731, F.S., which currently includes nearly identical language when compared to s. 984.085, F.S., and also adds the same language as that amended statute, including increasing the 1<sup>st</sup> degree misdemeanor for violating these prohibited acts to an **unranked, 3<sup>rd</sup> degree felony (Level 1 by default)**.

Per FDLE, in FY 22-23, there were 8 arrest charges and 1 guilty/convicted charges for a violation of s. 984.085, F.S., and there were 17 arrest charges and 4 guilty/convicted charges for a violation of s. 985.731, F.S.

In FY 22-23, the incarceration rate for a Level 1, 3<sup>rd</sup> degree felony was 9.5%.

**CONFERENCE ADOPTED ESTIMATE: Positive Insignificant**

**Requested by: Senate**