

HB 939 – Use or Operation of a Drone by Certain Offenders (Identical SB 1122)

This bill creates s. 810.146, F.S., creating a **Level 7, 3rd degree felony** for a sexual predator using or operating a drone “for the purpose of viewing or recording an image of a minor who is on or at the minor's domicile or on or at a business, school, child care facility, park, playground, or other place where children regularly congregate.” Sexual predator is also specifically defined by a list of statutes.

Per FDLE, as of June 2016, there were 3,200 sexual predators in Florida who were not incarcerated or civilly committed. There is no available data on drone usage by sexual predators.

Although 55 (adj.) sexual predators have been sentenced for the various penalties associated with the Florida Sexual Predators Act (s. 775.21, F.S.), with 35 (adj.) sentenced to prison, which generally involved failure to report address changes, providing false information, and failure to register, there were no sexual predators sentenced for “working, whether for compensation or as a volunteer, at any business, school, child care facility, park, playground, or other place where children regularly congregate.”

In FY 15-16, the incarceration rate for a Level 7, 3rd degree felony was 53.3%.

CONFERENCE ADOPTED ESTIMATE: Positive Insignificant

Requested by: House & Senate