

SB 676 – Criminal Offenses

This bill amends multiple statutes. First, it amends s. 827.04, F.S., adding elevated misdemeanor and felony levels for “a person who commits any act that causes, tends to cause, encourages, or contributes to a child committing an offense that” is as follows:

- 3rd degree felony: 1st degree misdemeanor
- 2nd degree felony: 3rd degree felony
- 1st degree felony: 2nd degree felony
- capital felony: 1st degree felony

It further adds that a “a person who induces or endeavors to induce, by act, threat, command, or persuasion, a child to commit an offense that is:

- 3rd degree felony: 1st degree misdemeanor
- 2nd degree felony: 3rd degree felony
- 1st degree felony: 2nd degree felony
- capital felony: 1st degree felony

Per FDLE, in FY 24-25, there were 719 arrests, with 254 guilty/convicted charges and 125 adjudicated withheld charges for contributing to the delinquency of a minor, which is currently a 1st degree misdemeanor. It is not known how many of these instances would now be under the new elevated felony structure.

This bill then amends s. 828.12, F.S., adding a **Level 6, 3rd degree felony** for when “a person 18 years of age or older...causes or entices a minor to commit, or in the presence of a minor commits” the following Level 5, 3rd degree felony: “a person who intentionally commits an act to any animal, or a person who owns or has the custody or control of any animal and fails to act, which results in the cruel death, or excessive or repeated infliction of unnecessary pain or suffering, or causes the same to be done, commits aggravated animal cruelty...” Per DOC, in FY 24-25, there were 20 new commitments for the Level 5, 3rd degree felony. It is not known how many of these involved a minor, nor is it known how many additional commitments would be added with a minor involved.

Additionally, the bill amends s. 828.122, F.S., adding a **Level 6, 3rd degree felony** for when “a person 18 years of age or older...causes or entices a minor to commit, or in the presence of a minor commits...” the current Level 1, 3rd degree felony for a list of acts related to animal fighting or baiting. It then raises this felony to a **Level 5, 3rd degree felony**. Per DOC, in FY 24-25, there were no new commitments for this Level 1, 3rd degree felony.

Finally, the bill amends s. 828.126, F.S., adding a **Level 7, 3rd degree felony** for when “a person 18 years of age or older...causes or entices a minor to commit, or in the presence of a minor commits...” a Level 6, 3rd degree felony for a list of acts related to sexual activities involving animals. Per DOC, in FY 24-25, there were 5 new

commitments for this Level 6, 3rd degree felony. It is not known how many of these involved a minor, nor is it known how many additional commitments would be added with a minor involved. However, there are penalties under Chapter 827, where “sexual conduct” is defined with the inclusion of sexual bestiality, with felonies against similarly defined acts under s. 827.071, F.S. (sexual performance by a child). Per DOC, in FY 24-25, there was one new commitment involving such an act, though sexual conduct is broadly defined. Lastly, sexual conduct is also used for the 1st degree misdemeanor under s. 827.11, F.S. (expose children to an adult live performance). There were no arrests or convictions/adjudications withheld for this 1st degree misdemeanor in FY 24-25.

CONFERENCE ADOPTED ESTIMATE: Positive Indeterminate

Requested by: Senate