

By Representatives Diaz de la Portilla, Prieguez and Rojas

1 A bill to be entitled
2 An act relating to criminal liability for
3 failure to report a crime; creating s. 877.31,
4 F.S.; requiring that a person who knows that a
5 crime is being committed must report the crime
6 to a law enforcement officer, under specified
7 circumstances if the crime exposes the victim
8 to bodily injury; providing penalties;
9 providing for construction; providing an
10 effective date.

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

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14 Section 1. Section 877.31, Florida Statutes, is
15 created to read:

16 877.31 Legal duty to report a crime exposing the
17 victim to bodily injury; penalties for failure to report;
18 construction.--

19 (1) A person who knows that a crime which exposes the
20 victim to bodily injury is being committed must report the
21 crime to a law enforcement officer as soon as it is reasonably
22 practicable, to the extent that report can be made without
23 danger to the person reporting or to another person. Any
24 person who violates this subsection commits a misdemeanor of
25 the second degree, punishable as provided in s. 775.082 or s.
26 775.083.

27 (2) This section may not be construed to apply to a
28 person either who is prosecuted as a principal in the first
29 degree or an accessory after the fact to an offense, or who is
30 prosecuted for attempting, soliciting, or conspiring to commit
31 an offense, when the prosecuted offense has occurred in the

1 course of the same criminal conduct, transaction, or episode
2 as the criminal offense which exposes the victim to bodily
3 injury.

4 Section 2. This act shall take effect October 1, 1999.

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7 HOUSE SUMMARY

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9 Requires a person who knows that a crime is being
10 committed to report the crime to a law enforcement
11 officer, under specified circumstances when the crime
12 exposes the victim to bodily injury. Provides criminal
13 penalties for failure to make the report. Provides for
14 construction.
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