

By the Committee on Law Enforcement & Crime Prevention and Representatives Diaz de la Portilla, Prieguez, Rojas, Fasano and Crist

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 serious 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 serious bodily injury; penalties for failure to
18 report; construction.--

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