

By Senator Diaz de la Portilla

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A bill to be entitled  
An act relating to criminal liability for  
failure to report a crime; creating s. 877.31,  
F.S.; creating the "Nicholas Isaac Cordero  
Act"; requiring that a person who knows that a  
crime is being committed must report the crime  
to a law enforcement officer, under specified  
circumstances, if the crime exposes the victim  
to serious bodily injury; providing penalties;  
providing for construction; providing an  
effective date.

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

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

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

(1) This section may be cited as the "Nicholas Isaac  
Cordero Act."

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

(3) This section does not apply to a person who is:

- 1           (a) Prosecuted as a principal in the first degree or  
2 as an accessory after the fact to an offense;  
3           (b) Prosecuted for attempting, soliciting, or  
4 conspiring to commit an offense, when the prosecuted offense  
5 occurred in the course of the same criminal conduct,  
6 transaction, or episode as the criminal offense that exposed  
7 the victim to serious bodily injury;  
8           (c) Related by blood or marriage to the principal or  
9 victim of an episode that exposes the victim to serious bodily  
10 injury; or  
11           (d) A victim of serious bodily injury.

12           Section 2. This act shall take effect October 1, 2000.

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SENATE SUMMARY

Creates the "Nicholas Isaac Cordero Act." Requires a person who knows that a crime is being committed to report the crime to a law enforcement officer, under specified circumstances, when the crime exposes the victim to serious bodily injury. Provides criminal penalties for failure to make the report. Provides for certain exceptions.