

By the Committee on Crime & Punishment and Representative
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.; creating the "Nicholas Isaac Cordero
5 Act"; requiring that a person who knows that a
6 crime is being committed must report the crime
7 to a law enforcement officer, under specified
8 circumstances, if the crime exposes the victim
9 to serious bodily injury likely to cause death;
10 providing penalties; providing for
11 construction; providing an effective date.

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

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

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

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

22 (2) A person who knows that a crime that exposes the
23 victim to serious bodily injury likely to cause death is being
24 committed must report the crime to a law enforcement officer
25 within 48 hours after the offense is committed to the extent
26 that the report can be made without danger to the person
27 reporting or to another person. Any person who violates this
28 subsection commits a misdemeanor of the second degree,
29 punishable as provided in s. 775.082 or s. 775.083.

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