

By Senator Diaz de la Portilla

36-1451-03

See HB

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 a person who knows that a crime
6 is being committed to report the crime to a law
7 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 exceptions;
11 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 likely to cause death;
19 penalties for failure to report; exceptions.--

20 (1) This section may be referred to by the popular
21 name the "Nicholas Isaac Cordero Act."

22 (2) A person who knows that a crime is being committed
23 which exposes the victim to serious bodily injury likely to
24 cause death 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 upon becoming a
13 law.

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