

CHAMBER ACTION

1 The Committee on Public Safety & Crime Prevention recommends the  
2 following:

3  
4 **Committee Substitute**

5 Remove the entire bill and insert:

6 A bill to be entitled

7 An act relating to accessories to a crime; providing a  
8 popular name; amending s. 777.03, F.S.; limiting the  
9 provision that exempts certain members of an offender's  
10 family from being charged with the offense of acting as an  
11 accessory after the fact to circumstances involving third  
12 degree felony offenses; providing an effective date.

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

15  
16 Section 1. This act may be cited as the "Jason A. Gucwa  
17 Act."

18 Section 2. Subsection (1) of section 777.03, Florida  
19 Statutes, is amended to read:

20 777.03 Accessory after the fact.--

21 (1)(a) Any person not standing in the relation of husband  
22 or wife, parent or grandparent, child or grandchild, brother or  
23 sister, by consanguinity or affinity to the offender, who

HB 0125

2004  
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24 maintains or assists the principal or accessory before the fact,  
 25 or gives the offender any other aid, knowing that the offender  
 26 had committed a crime and such crime was a third degree felony,  
 27 or had been an accessory thereto before the fact, with the  
 28 intent that the offender avoids or escapes detection, arrest,  
 29 trial, or punishment, is an accessory after the fact.

30 (b) Any person, ~~regardless of the relation to the~~  
 31 ~~offender,~~ who maintains or assists the principal or accessory  
 32 before the fact, or gives the offender any other aid, knowing  
 33 that the offender had committed the offense of child abuse,  
 34 neglect of a child, aggravated child abuse, aggravated  
 35 manslaughter of a child under 18 years of age, or murder of a  
 36 child under 18 years of age, or had been an accessory thereto  
 37 before the fact, with the intent that the offender avoids or  
 38 escapes detection, arrest, trial, or punishment, is an accessory  
 39 after the fact unless the court finds that the person is a  
 40 victim of domestic violence.

41 (c) Any person who maintains or assists the principal or  
 42 accessory before the fact, or gives the offender any other aid,  
 43 knowing that the offender had committed a crime and such crime  
 44 was a first or second degree felony, or had been an accessory  
 45 thereto before the fact, with the intent that the offender  
 46 avoids or escapes detection, arrest, trial, or punishment, is an  
 47 accessory after the fact.

48 Section 3. This act shall take effect upon becoming a law.