

HB 0353

2004

1                                   A bill to be entitled  
 2           An act relating to criminal liability for failure to  
 3           report a crime; creating s. 877.31, F.S.; creating the  
 4           "Nicholas Isaac Cordero Act"; requiring a person who knows  
 5           that a crime is being committed to report the crime to a  
 6           law enforcement officer, under specified circumstances, if  
 7           the crime exposes the victim to serious bodily injury  
 8           likely to cause death; providing penalties; providing  
 9           exceptions; providing an effective date.

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

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

15           877.31 Legal duty to report a crime exposing the victim to  
 16 serious bodily injury likely to cause death; penalties for  
 17 failure to report; exceptions.--

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

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

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

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29        (a) Prosecuted as a principal in the first degree or as an  
 30 accessory after the fact to an offense;

31        (b) Prosecuted for attempting, soliciting, or conspiring  
 32 to commit an offense, when the prosecuted offense occurred in  
 33 the course of the same criminal conduct, transaction, or episode  
 34 as the criminal offense that exposed the victim to serious  
 35 bodily injury;

36        (c) Related by blood or marriage to the principal or  
 37 victim of an episode that exposes the victim to serious bodily  
 38 injury; or

39        (d) A victim of serious bodily injury.

40        Section 2. This act shall take effect upon becoming a law.