By Senator Siplin

19-86A-05

1	A bill to be entitled
2	An act relating to notification of next of kin;
3	providing a short title; creating s. 960.046,
4	F.S.; requiring law enforcement agencies to
5	notify the next of kin of decedents whose death
6	occurs in certain circumstances; prescribing
7	procedures to be followed with respect to such
8	notification; requiring disciplinary action
9	against officers who fail to make a required
10	notification or who fail to follow specified
11	procedures for making such notification;
12	providing an effective date.
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14	Be It Enacted by the Legislature of the State of Florida:
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16	Section 1. This act may be cited as the Pardo-Arambul
17	Act.
18	Section 2. Section 960.046, Florida Statutes, is
19	created to read:
20	960.046 Contact next of kin of deceased human being;
21	requirements of law enforcement agency In addition to any
22	other requirement imposed by law when the death of a human
23	being occurs, the county or municipal law enforcement agency
24	in the jurisdiction of which the death occurred or the body
25	was found, upon preliminary determination of the cause of
26	death, shall contact the next of kin of the decedent when:
27	(1)(a) Verifiable documentation of identity exists and
28	there is reason to believe that the decedent's death is
29	unknown to the next of kin; and
30	(b) There is reason to believe that the decedent's
31	death was a result of:

1	<pre>1. Criminal activity;</pre>
2	2. An accident;
3	3. Suicide;
4	4. A suspicious or unusual circumstance; or
5	5. Use of a controlled substance or poison.
6	(2) The following requirements apply with respect to
7	notifications of next of kin under this section:
8	(a) Each attempt at notification must be documented in
9	writing, according to procedures established by the law
10	enforcement agency making the notification.
11	(b) Notification of the decedent's next of kin must be
12	accomplished promptly in such a manner as to cause the least
13	discomfort possible to the person being notified.
14	(c) Notification of the decedent's next of kin may be
15	made only after approval of a supervisor designated by the law
16	enforcement agency for such purpose.
17	(d) Notification must be made in person by a law
18	enforcement officer assigned to investigate the cause of the
19	decedent's death or by a supervisor designated by the law
20	enforcement agency for such purpose.
21	(e) Each law enforcement agency is responsible for
22	disciplining a law enforcement officer who fails to comply
23	with this section.
24	(f) If the next of kin of the decedent was not
25	notified within a reasonable time as required in this section,
26	the designated supervisor of the responsible law enforcement
27	agency shall provide a written explanation of the failure to
28	the next of kin, along with a statement of the disciplinary
29	action taken against the officer who failed to provide such
30	notification.
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1	(q) A law enforcement agency may establish additional
2	procedures to implement this section.
3	(3) If the decedent's next of kin is not within the
4	jurisdiction in which death occurred or the body was found,
5	the law enforcement agency responsible for making the
6	notification shall forward notice of the decedent's death to
7	the law enforcement agency of the jurisdiction in which the
8	next of kin is located. The notice shall be accompanied by a
9	request for that agency to contact the next of kin immediately
10	and to notify the requesting law enforcement agency when that
11	has been done.
12	Section 3. This act shall take effect July 1, 2005.
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15	SENATE SUMMARY
16	Creates the Pardo-Arambul Act, which requires the county or municipal law enforcement agency in the jurisdiction
17	of which a person's death occurs or a body is found to notify the decedent's next of kin if the death has
18	occurred under specified circumstances. Prescribes procedures for making such notification and procedures in
19	cases in which the next of kin is located outside that county or municipality.
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