

HB 367

2006
CS

CHAMBER ACTION

1 The Criminal Justice Appropriations Committee recommends the
2 following:

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4 **Council/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 short title; 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; specifying additional actions that
13 constitute being an accessory after the fact, for which
14 penalties are provided; providing an effective date.

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

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18 Section 1. This act may be cited as the "Jason A. Gucwa
19 Act."

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

22 777.03 Accessory after the fact.--

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23 (1) (a) Any person not standing in the relation of husband
 24 or wife, parent or grandparent, child or grandchild, brother or
 25 sister, by consanguinity or affinity to the offender, who
 26 maintains or assists the principal or an accessory before the
 27 fact, or gives the offender any other aid, knowing that the
 28 offender had committed a crime and such crime was a third degree
 29 felony, or had been an accessory thereto before the fact, with
 30 the intent that the offender avoids or escapes detection,
 31 arrest, trial or punishment, is an accessory after the fact.

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

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

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