

By Senator Lynn

7-725-06

See HB

1                                   A bill to be entitled  
2           An act relating to accessories to a crime;  
3           providing a short title; amending s. 777.03,  
4           F.S.; limiting the provision that exempts  
5           certain members of an offender's family from  
6           being charged with the offense of acting as an  
7           accessory after the fact to circumstances  
8           involving third-degree felony offenses;  
9           specifying additional actions that constitute  
10          being an accessory after the fact, for which  
11          penalties are provided; providing an effective  
12          date.

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

16           Section 1. This act may be cited as the "Jason A.  
17 Gucwa 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  
22 husband or wife, parent or grandparent, child or grandchild,  
23 brother or sister, by consanguinity or affinity to the  
24 offender, who maintains or assists the principal or an  
25 accessory before the fact, or gives the offender any other  
26 aid, knowing that the offender had committed a crime and such  
27 crime was a third-degree felony, or had been an accessory  
28 thereto before the fact, with the intent that the offender  
29 avoids or escapes detection, arrest, trial or punishment, is  
30 an accessory after the fact.

1           (b) Any person, ~~regardless of the relation to the~~  
2 ~~offender,~~ who maintains or assists the principal or accessory  
3 before the fact, or gives the offender any other aid, knowing  
4 that the offender had committed the offense of child abuse,  
5 neglect of a child, aggravated child abuse, aggravated  
6 manslaughter of a child under 18 years of age, or murder of a  
7 child under 18 years of age, or had been an accessory thereto  
8 before the fact, with the intent that the offender avoids or  
9 escapes detection, arrest, trial, or punishment, is an  
10 accessory after the fact unless the court finds that the  
11 person is a victim of domestic violence.

12           (c) Any person who maintains or assists the principal  
13 or an accessory before the fact, or gives the offender any  
14 other aid, knowing that the offender had committed a crime and  
15 such crime was a first-degree or second-degree felony, or had  
16 been an accessory thereto before the fact, with the intent  
17 that the offender avoids or escapes detection, arrest, trial,  
18 or punishment, is an accessory after the fact.

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

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