By the Committee on Criminal Justice; and Senator Lynn

591-1720-06

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.
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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 "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 <u>an</u>
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 $\underline{\text{the}}$ intent that the offender
29	avoids or escapes detection, arrest, trial or punishment, is
30	an accessory after the fact.
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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 <u>an</u> 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 capital, life, first-degree, or second-degree
16	felony, or had been an accessory thereto before the fact, with
17	the intent that the offender avoids or escapes detection,
18	arrest, trial, 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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22	STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN COMMITTEE SUBSTITUTE FOR
23	Senate Bill 730
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25	The felonies classified as "capital" and "life" felonies were included, along with first and second degree felonies, as
26	felonies which will no longer be covered by the familial exemption from prosecution for accessory after the fact under
27	s. 777.03, F.S.
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