

HB 49

2012

1 A bill to be entitled
2 An act relating to offenses related to a child's
3 disappearance; providing a short title; requiring a
4 parent, legal guardian, or caretaker of a minor child
5 under a specified age to notify a law enforcement
6 agency in a timely manner of the child's disappearance
7 in certain circumstances; providing criminal
8 penalties; providing a duty for a parent, legal
9 guardian, or caretaker of a minor child to report the
10 death of a minor child under specified circumstances
11 to a medical examiner; prohibiting certain acts
12 relating to the investigation of the death; providing
13 criminal penalties; prohibiting a parent, legal
14 guardian, or caretaker of a minor child from providing
15 intentionally false or misleading information to
16 authorities during the investigation of the missing
17 child if the information misdirects or prolongs the
18 investigation; providing criminal penalties; providing
19 for restitution of certain expenses of investigation
20 and prosecution; providing an effective date.

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

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24 Section 1. This act may be cited as "Caylee's Law."

25 Section 2. Disappearance of a child; notification.—A
26 parent, legal guardian, or caretaker of a minor child in his or
27 her care who is 12 years of age or younger who fails to notify a

28 law enforcement agency in a timely manner of a child's
 29 disappearance when he or she:

30 (1) Knows that the minor child is missing; and

31 (2) Knows or reasonably should know that the child is
 32 potentially in danger of death or serious injury

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 34 commits a felony of the third degree, punishable as provided in
 35 s. 775.082, s. 775.083, or s. 775.084, Florida Statutes.

36 Section 3. Death of a minor child; duty to report;
 37 prohibited acts.—It is the duty of a parent, legal guardian, or
 38 caretaker of a minor child who becomes aware of the death of the
 39 minor child occurring under the circumstances described in s.
 40 406.11, Florida Statutes, to report such death and circumstances
 41 forthwith to the district medical examiner in the district where
 42 the parent, caretaker, or guardian believes the death of the
 43 minor child is most likely to have occurred, including all
 44 municipalities and unincorporated and federal areas. Any such
 45 parent, legal guardian, or caretaker who knowingly fails or
 46 refuses to report such death and circumstances, who refuses to
 47 make available prior medical or other information pertinent to
 48 the death investigation, or who, without an order from the
 49 office of the district medical examiner, willfully touches,
 50 removes, or disturbs the body, clothing, or any other thing on
 51 or near the body with the intent to alter the evidence or
 52 circumstances surrounding the death commits a felony of the
 53 third degree, punishable as provided in s. 775.082, s. 775.083,
 54 or s. 775.084, Florida Statutes.

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55 Section 4. Providing false information during missing
56 child investigation.—A parent, legal guardian, or caretaker of a
57 minor child who provides intentionally false or misleading
58 information to authorities during the investigation of the
59 missing, potentially missing, or minor child found to be missing
60 whose false or misleading information misdirects or prolongs the
61 investigation commits a felony of the third degree, punishable
62 as provided in s. 775.082, s. 775.083, or s. 775.084, Florida
63 Statutes. In addition to any such punishment, a person convicted
64 of a violation of this section shall provide restitution for all
65 costs of the missing child investigation and prosecution for
66 offenses committed related thereto regardless of whether the
67 person who violated this section is convicted of any additional
68 offenses related to the missing child or the investigation.

69 Section 5. This act shall take effect July 1, 2012.