

By Senator Fasano

11-00115-12

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1 A bill to be entitled
2 An act relating to offenses by caregivers of minor
3 children; providing a short title; creating s. 827.10,
4 F.S.; penalizing a caregiver who willfully or by
5 culpable negligence fails to make contact with a child
6 under a specified age in his or her care for a certain
7 period and to immediately report the child as missing
8 to a law enforcement agency after that period expires
9 without contact in certain circumstances; providing
10 criminal penalties; providing enhanced criminal
11 penalties in certain circumstances; creating s.
12 827.11, F.S.; requiring the caregiver of a minor child
13 to report the child's death to a law enforcement
14 agency within a specified period in certain
15 circumstances; requiring the caregiver of a minor
16 child to report the location of a child's corpse to a
17 law enforcement agency within a specified period in
18 certain circumstances; providing criminal penalties;
19 amending s. 837.055, F.S.; providing enhanced criminal
20 penalties for a caregiver of a minor child who
21 knowingly and willfully gives false information, with
22 specified intent, to a law enforcement officer
23 conducting a missing person investigation or a felony
24 criminal investigation involving the child; providing
25 an effective date.

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

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

11-00115-12

201284

30 Section 2. Section 827.10, Florida Statutes, is created to
31 read:

32 827.10 Missing child; duty to report.—A caregiver who
33 willfully or by culpable negligence fails to make contact with
34 or otherwise verify the whereabouts and safety of a child in his
35 or her care who is 12 years of age or younger for a period of 48
36 hours and to immediately report the child as missing to a law
37 enforcement agency after this 48-hour period expires without
38 contact commits:

39 (1) A felony of the second degree if the child suffers
40 great bodily harm, permanent disability, or permanent
41 disfigurement while missing; or

42 (2) A felony of the third degree in any other circumstance,
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44 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

45 Section 3. Section 827.11, Florida Statutes, is created to
46 read:

47 827.11 Death of a child or location of a child's corpse;
48 reporting requirements.—

49 (1) A caregiver of a minor child must:

50 (a) Report the child's death to a law enforcement agency
51 within 2 hours after learning about the child's death; or

52 (b) Report the location of the child's corpse to a law
53 enforcement agency within 2 hours after learning the location of
54 the corpse,

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56 if the child's death appears to have been one described in s.
57 406.11(1)(a) other than a death described in s. 406.11(1)(a)6.,
58 7., or 9.

11-00115-12

201284__

59 (2) A person who violates this section commits a felony of
60 the second degree, punishable as provided in s. 775.082, s.
61 775.083, or s. 775.084.

62 Section 4. Section 837.055, Florida Statutes, is amended to
63 read:

64 837.055 False information to law enforcement during
65 investigation.—

66 (1) Except as provided in subsection (2), a person who
67 ~~whoever~~ knowingly and willfully gives false information to a law
68 enforcement officer who is conducting a missing person
69 investigation or a felony criminal investigation with the intent
70 to mislead the officer or impede the investigation commits a
71 misdemeanor of the first degree, punishable as provided in s.
72 775.082 or s. 775.083.

73 (2) A caregiver, as defined in s. 827.01, who knowingly and
74 willfully gives false information to a law enforcement officer
75 who is conducting a missing person investigation or a felony
76 criminal investigation involving a minor child in his or her
77 care with the intent to mislead the officer or impede the
78 investigation commits a felony of the second degree, punishable
79 as provided in s. 775.082, s. 775.083, or s. 775.084.

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