

By Senator Flores

38-00130-12

2012146\_\_

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 the failure of a caregiver, willfully  
5 or by culpable negligence, to make contact with a  
6 child under a specified age in his or her care for a  
7 certain period and to immediately report the child as  
8 missing to a law enforcement agency after that period  
9 expires without contact in certain circumstances;  
10 providing criminal penalties; providing enhanced  
11 criminal penalties in certain circumstances; creating  
12 s. 827.11, F.S.; requiring the caregiver of a minor  
13 child 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 a child; providing an  
25 effective date.

26  
27 Be It Enacted by the Legislature of the State of Florida:

28  
29 Section 1. This act may be cited as "Caylee's Law."

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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,  
43  
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,

55  
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.

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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.