

HB 37

2012

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 law enforcement 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 a child; providing an
25 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."

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 law
37 enforcement after this 48-hour period expires without contact
38 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
43 circumstance,

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45 punishable as provided in s. 775.082, s. 775.083, or s. 775.084.

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

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

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

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

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

56

HB 37

2012

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

60 (2) A person who violates this section commits a felony of
 61 the second degree, punishable as provided in s. 775.082, s.
 62 775.083, or s. 775.084.

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

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

67 (1) Except as provided in subsection (2), a person who
 68 ~~whoever~~ knowingly and willfully gives false information to a law
 69 enforcement officer who is conducting a missing person
 70 investigation or a felony criminal investigation with the intent
 71 to mislead the officer or impede the investigation commits a
 72 misdemeanor of the first degree, punishable as provided in s.
 73 775.082 or s. 775.083.

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

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