

By the Committee on Health Policy; and Senator Stewart

588-03020-24

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1 A bill to be entitled
2 An act relating to duties and prohibited acts
3 associated with death; amending s. 406.12, F.S.;
4 authorizing that a report regarding specified deaths
5 and circumstances be made to a certain law enforcement
6 agency in addition to the district medical examiner;
7 increasing the criminal penalty for persons who fail
8 or refuse to report a death or who refuse to make
9 available certain information with the intent to
10 conceal the death or alter the evidence and
11 circumstances surrounding the death; increasing the
12 criminal penalty for persons who willfully touch,
13 remove, or disturb a body without an order from the
14 office of the district medical examiner with the
15 intent to conceal the death or alter the evidence and
16 circumstances surrounding the death; providing an
17 effective date.

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

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21 Section 1. Section 406.12, Florida Statutes, is amended to
22 read:

23 406.12 Duty to report; prohibited acts.—

24 (1) It is the duty of any person in the district where a
25 death occurs, including all municipalities and unincorporated
26 and federal areas, who becomes aware of the death of any person
27 occurring under the circumstances described in s. 406.11 to
28 report such death and circumstances forthwith to the district
29 medical examiner or to a law enforcement agency having

588-03020-24

2024768c1

30 jurisdiction over the location.

31 (2) Any person who knowingly fails or refuses to report
32 such death and circumstances as required under subsection (1)
33 or~~7~~ who refuses to make available prior medical or other
34 information pertinent to the death investigation commits a
35 misdemeanor of the first degree, punishable as provided in s.
36 775.082 or s. 775.083.

37 (3) Any person,~~or~~ who, with the intent to conceal such
38 death or to alter the evidence or circumstances surrounding such
39 death:

40 (a) Violates subsection (2); or

41 (b) Without an order from the office of the district
42 medical examiner, willfully touches, removes, or disturbs the
43 body, clothing, or any article upon or near the body, with the
44 intent to alter the evidence or circumstances surrounding the
45 death, shall be guilty of a misdemeanor of the first

46
47 commits a felony of the third degree, punishable as provided in
48 s. 775.082, ~~or~~ s. 775.083, or s. 775.084.

49 Section 2. This act shall take effect July 1, 2024.