



General Assembly

**Substitute Bill No. 6009**

January Session, 2009

\*          HB06009JUD          040209          \*

**AN ACT CONCERNING THE FAILURE OF A WITNESS TO REPORT A SERIOUS CRIME.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1       Section 1. (NEW) (*Effective October 1, 2009*) (a) A person is guilty of  
2 failure to report a crime when such person witnesses what the person  
3 knows or reasonably should know is the murder of another person, the  
4 assault or sexual assault of another person that constitutes a felony or  
5 the physical abuse of a child that constitutes a felony, or the attempt  
6 thereof, and does not, as soon as reasonably practicable, report that  
7 crime to a law enforcement agency.

8       (b) In any prosecution for an offense under this section, it shall be an  
9 affirmative defense that the defendant: (1) Did not, as soon as  
10 reasonably practicable, report the crime because the defendant  
11 reasonably believed that (A) doing so would have exposed the  
12 defendant or another person to a substantial risk of physical injury, or  
13 (B) another person had already reported the crime to a law  
14 enforcement official; (2) acted to stop the commission of the crime and  
15 stopped (A) the commission of the crime, or (B) the completion of the  
16 crime being attempted; or (3) was a victim of the crime.

17       (c) Failure to report a crime is a class A misdemeanor.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>October 1, 2009</i>	New section
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**JUD**      *Joint Favorable Subst.*