

By Senator Book

32-00086A-20

2020238__

1 A bill to be entitled
2 An act relating to child welfare; amending s. 39.204,
3 F.S.; specifying that certain communication between a
4 member of the clergy and a certain person is not
5 exempt from child abuse reporting requirements;
6 deleting an exemption for privileged communications to
7 clergy relating to child abuse, abandonment, or
8 neglect; providing an effective date.

9
10 Be It Enacted by the Legislature of the State of Florida:

11
12 Section 1. Section 39.204, Florida Statutes, is amended to
13 read:

14 39.204 Abrogation of privileged communications in cases
15 involving child abuse, abandonment, or neglect.—The privileged
16 quality of communication between husband and wife, between a
17 member of the clergy and a person as described in s. 90.505, and
18 between any professional person and his or her patient or
19 client, and any other privileged communication except that
20 between attorney and client ~~or the privilege provided in s.~~
21 ~~90.505,~~ as such communication relates both to the competency of
22 the witness and to the exclusion of confidential communications,
23 does shall not apply to any communication involving the
24 perpetrator or alleged perpetrator in any situation involving
25 known or suspected child abuse, abandonment, or neglect and does
26 ~~shall~~ not constitute grounds for failure to report as required
27 by s. 39.201 regardless of the source of the information
28 requiring the report, failure to cooperate with law enforcement
29 or the department in its activities pursuant to this chapter, or

32-00086A-20

2020238__

30 failure to give evidence in any judicial proceeding relating to
31 child abuse, abandonment, or neglect.

32 Section 2. This act shall take effect July 1, 2020.