



264456

LEGISLATIVE ACTION

Senate

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House

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The Committee on Criminal Justice (Bean) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 39 - 75

and insert:

(2) (a) Except ~~pursuant to criminal discovery or~~ as provided in paragraph (b), a person who knowingly and willfully attempts to obtain, obtains, or discloses a privileged communication, or protected information, or any information concerning a privileged communication or protected information commits a felony of the third degree, punishable as provided in s.



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11 775.082, s. 775.083, or s. 775.084.

12 (b) This subsection does not apply to:

13 1. The person who provides the privileged communication or  
14 protected information; ~~or~~

15 2. An employee, board member, or volunteer of a crime  
16 stoppers organization while acting in the course and scope of  
17 the person's duties or functions;

18 ~~3.2.~~ A law enforcement officer or an employee of a law  
19 enforcement agency or the Department of Legal Affairs when he or  
20 she is acting within the scope of his or her official duties;  
21 ~~or-~~

22 4. A person complying with criminal discovery rules.

23 (c) This subsection does not limit the right of any  
24 criminal defendant to criminal discovery.

25 (3) A person who, in the course and scope of his or her  
26 duties or functions receives, forwards, or acts on a privileged  
27 communication is immune from civil liability for damages  
28 resulting from an act or omission in the performance of his or  
29 her duties or functions unless the act or omission was  
30 intentional or grossly negligent.

31  
32 ===== T I T L E A M E N D M E N T =====

33 And the title is amended as follows:

34 Delete lines 4 - 12

35 and insert:

36 F.S.; prohibiting a person from knowingly and  
37 willfully attempting to obtain, obtaining, or  
38 disclosing a privileged communication or protected  
39 information; providing a penalty; providing an



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40 exemption from criminal liability for employees, board  
41 members, or volunteers of crime stoppers organization  
42 in certain circumstances; providing immunity from  
43 civil liability for certain actions by specified  
44 persons concerning privileged communications;