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LEGISLATIVE ACTION

Senate

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House

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The Committee on Judiciary (Bean) recommended the following:

**Senate Amendment (with title amendment)**

Delete lines 56 - 64

and insert:

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

(3) A person in the course and scope of his or her duties  
or functions who receives, forwards, or acts on a privileged  
communication is immune from civil liability for damages  
resulting from an act or omission in the performance of his or  
her duties or functions unless the act or omission was



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12 intentional or grossly negligent.

13 (4) (a) Evidence of a privileged communication, and  
14 information contained within a privileged communication, from an  
15 anonymous source to a crime stoppers organization may not be:

16 1. Relied upon, or considered in determining whether  
17 probable cause exists to issue either an arrest or search  
18 warrant.

19 2. Admissible or subject to discovery in any court  
20 proceeding.

21 (b) A privileged communication may only be used to assist a  
22 law enforcement agency in directing an investigation of alleged  
23 criminal activity.

24  
25 ===== T I T L E A M E N D M E N T =====

26 And the title is amended as follows:

27 Delete line 13

28 and insert:

29 communications; limiting the uses of privileged  
30 communications or evidence of such communications;  
31 providing an effective date.