

Committee on Judiciary

CS/HB 583 — Interception of Wire, Oral, or Electronic Communications Made in Violation of Protective Orders

by Judiciary Committee and Rep. Joseph and others (CS/SB 1802 by Criminal Justice Committee and Senator Pizzo)

The bill provides that it is lawful for a person who is protected by an injunction for repeat violence, sexual violence, dating violence, domestic violence, stalking, or any other court-imposed prohibition of conduct toward the person, to intercept and record a wire, oral, or electronic communication received in violation of the injunction or order. Therefore, the bill creates an exception to the general prohibition against interceptions of wire, oral, or electronic communications without the consent of all parties.

If the subject of the injunction or order has been served the injunction or is on notice that the conduct was prohibited, the bill allows a person to provide the recording only to a law enforcement agency, attorney, or a court for the limited purpose of proving a violation of the injunction or court order.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 40-0; House 118-0