

By the Committee on Criminal Justice; and Senators Benacquisto and Simpson

591-01815-15

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1 A bill to be entitled

2 An act relating to interception of wire, oral, or
3 electronic communication; amending s. 934.03, F.S.;
4 authorizing a child younger than 18 years of age to
5 intercept and record an oral communication if the
6 child is a party to the communication and certain
7 conditions are met; providing an effective date.

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

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11 Section 1. Paragraph (k) is added to subsection (2) of
12 section 934.03, Florida Statutes, to read:

13 934.03 Interception and disclosure of wire, oral, or
14 electronic communications prohibited.-

15 (2)

16 (k) It is lawful under ss. 934.03-934.09 for a child under
17 18 years of age to intercept and record an oral communication if
18 the child is a party to the communication and has reasonable
19 grounds to believe that recording the communication will capture
20 a statement by another party to the communication that the other
21 party intends to commit, is committing, or has committed an
22 unlawful sexual act or an unlawful act of physical force or
23 violence against the child.

24 Section 2. This act shall take effect July 1, 2015.