

By the Committee on Criminal Justice; and Senator Harrell

591-02253-20

2020544c1

1 A bill to be entitled
2 An act relating to husband-wife communications
3 privilege; amending s. 90.504, F.S.; providing that
4 the privilege for husband-wife communications does not
5 apply in certain civil or criminal proceedings
6 involving child victims, to the extent that the
7 communications concern certain conduct; providing an
8 effective date.

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

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12 Section 1. Paragraph (d) is added to subsection (3) of
13 section 90.504, Florida Statutes, to read:

14 90.504 Husband-wife privilege.—

15 (3) There is no privilege under this section:

16 (d) In a civil or criminal proceeding if the communication
17 between spouses concerns any commission of or the attempt to
18 commit:

19 1. Any act of child abuse, aggravated child abuse, or child
20 neglect; any act of manufacture, production, transmission or
21 possession of child pornography; any act of human trafficking of
22 a child; any act of sexual abuse against a child; any offense
23 involving an unlawful sexual act, contact, or penetration
24 performed in the presence of, with, by, or on any child.

25 2. Any act which is related to a child and prohibited under
26 chapter 39, chapter 782, chapter 784, chapter 787, chapter 794,
27 chapter 796, chapter 800, chapter 826, chapter 827, or chapter
28 847.

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