



264456

LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
03/23/2021	.	
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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;