

Amendment No. 1

COMMITTEE/SUBCOMMITTEE ACTION

ADOPTED (Y/N)
 ADOPTED AS AMENDED (Y/N)
 ADOPTED W/O OBJECTION (Y/N)
 FAILED TO ADOPT (Y/N)
 WITHDRAWN (Y/N)
 OTHER

1 Committee/Subcommittee hearing bill: Criminal Justice & Public
 2 Safety Subcommittee

3 Representative Chambliss offered the following:

4

5 **Amendment (with title amendment)**

6 Remove lines 39-75 and insert:

7 (2) (a) Except ~~pursuant to criminal discovery or as~~
 8 provided in paragraph (b), a person who knowingly and willfully
 9 attempts to obtain, obtains, or discloses a privileged
 10 communication, ~~or~~ protected information, or any information
 11 concerning a privileged communication or protected information
 12 commits a felony of the third degree, punishable as provided in
 13 s. 775.082, s. 775.083, or s. 775.084.

14 (b) This subsection does not apply to:

15 1. The person who provides the privileged communication or
 16 protected information; ~~or~~

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17 2. An employee, board member, or volunteer of a crime
18 stoppers organization while acting in the course and scope of
19 the person's duties or functions; or

20 ~~3.2.~~ A law enforcement officer or an employee of a law
21 enforcement agency or the Department of Legal Affairs when he or
22 she is acting within the scope of his or her official duties.

23 4. A person complying with criminal discovery rules.

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

26 (3) A person who, in the course and scope of his or her
27 duties or functions receives, forwards, or acts on a privileged
28 communication is immune from civil liability for damages
29 resulting from an act or omission in the performance of his or
30 her duties or functions unless the act or omission was
31 intentional or grossly negligent.

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34 **T I T L E A M E N D M E N T**

35 Remove lines 4-12 and insert:

36 F.S.; prohibiting a person from knowingly and willfully
37 attempting to obtain, obtaining, or disclosing a privileged
38 communication or protected information; providing a penalty;
39 providing an exemption from criminal liability for employees,
40 board members, or volunteers of a crime stoppers organization in
41 certain circumstances; providing immunity from civil liability

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42 | for certain actions by specified persons concerning privileged
43 | communications;