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LEGISLATIVE ACTION

Senate	.	House
Comm: RCS	.	
02/08/2024	.	
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The Committee on Rules (Polsky) recommended the following:

**Senate Amendment**

Delete lines 36 - 76  
and insert:

(c) Furthering justice, which can encompass furthering a public interest when the disclosure is requested pursuant to paragraph (2) (c).

(2) It is unlawful for any person knowingly to publish, broadcast, disclose, divulge, or communicate to any other person, or knowingly to cause or permit to be published, broadcast, disclosed, divulged, or communicated to any other



12 person, in any manner whatsoever, any testimony of a witness  
13 examined before the grand jury, or the content, gist, or import  
14 thereof, except when such testimony is or has been disclosed in  
15 any of the following circumstances: a court proceeding.

16 (a) When a court orders the disclosure of such testimony  
17 pursuant to subsection (1) for use in a criminal case, it may be  
18 disclosed to the prosecuting attorney of the court in which such  
19 criminal case is pending, and by the prosecuting attorney to his  
20 or her assistants, legal associates, and employees, and to the  
21 defendant and the defendant's attorney, and by the latter to his  
22 or her legal associates and employees. However, the grand jury  
23 testimony afforded such persons by the court can only be used in  
24 the defense or prosecution of the criminal case and for no other  
25 purpose.

26 (b) When a court orders the such disclosure of such  
27 testimony is ordered by a court pursuant to subsection (1) for  
28 use in a civil case, it may be disclosed to all parties to the  
29 case and to their attorneys and by the latter to their legal  
30 associates and employees. However, the grand jury testimony  
31 afforded such persons by the court can only be used in the  
32 defense or prosecution of the civil ~~or criminal~~ case and for no  
33 other purpose ~~whatsoever~~.

34 (c) When a court orders the disclosure of such testimony  
35 pursuant to subsection (1) in response to a request by the media  
36 or an interested person, regardless of whether that purpose is  
37 for use in a criminal or civil case, it may be disclosed so long  
38 as the subject of the grand jury inquiry is deceased, the grand  
39 jury inquiry is related to criminal or sexual activity between  
40 the subject of the grand jury investigation and a person who was



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41 a minor at the time of the alleged criminal or sexual activity,  
42 the testimony was previously disclosed by a court order, and the  
43 state attorney is provided notice of the request. This paragraph  
44 does not limit the court's ability to limit the disclosure of  
45 testimony, including, but not limited to, redaction.