

House _____ Amendment NO. _____

Offered By

1 AMEND House Committee Substitute for Senate Substitute for Senate Bill No. 198, Page 1, Section
2 A, Line 11, by inserting after said section and line the following:

3
4 "37.725. 1. Any files maintained by the advocate program shall be disclosed only at the
5 discretion of the child advocate; except that the identity of any complainant or recipient shall not be
6 disclosed by the office unless:

7 (1) The complainant or recipient, or the complainant's or recipient's legal representative,
8 consents in writing to such disclosure; ~~[or]~~

9 (2) Such disclosure is required by court order; or

10 (3) The child advocate determines that disclosure to law enforcement is necessary to ensure
11 immediate child safety.

12 2. Any statement or communication made by the office relevant to a complaint received by,
13 proceedings before, or activities of the office and any complaint or information made or provided in
14 good faith by any person shall be absolutely privileged and such person shall be immune from suit.

15 3. Any representative of the office conducting or participating in any examination of a
16 complaint who knowingly and willfully discloses to any person other than the office, or those
17 persons authorized by the office to receive it, the name of any witness examined or any information
18 obtained or given during such examination is guilty of a class A misdemeanor. However, the office
19 conducting or participating in any examination of a complaint shall disclose the final result of the
20 examination with the consent of the recipient.

21 4. The office shall not be required to testify in any court with respect to matters held to be
22 confidential in this section except as the court may deem necessary to enforce the provisions of
23 sections 37.700 to 37.730, or where otherwise required by court order."; and

24
25 Further amend said bill by amending the title, enacting clause, and intersectional references
26 accordingly.

Action Taken _____ Date _____