

Amendments to Senate Bill No. 49  
1st Reading Copy

Requested by Senator Dan McGee

For the Senate Judiciary Committee

Prepared by Valencia Lane  
January 11, 2005 (8:03am)

1. Page 4, line 6.

Following: "makes"

Strike: "public"

Following: "statements"

Insert: "to the news media, a member of the United States  
congress, or a state legislator or legislative committee"

2. Page 4, line 7.

Following: "chapter,"

Strike: "the public"

Insert: "those"

Following: "waiver"

Insert: "by that person"

Following: "of"

Strike: "the"

Insert: "that person's right to"

3. Page 4, line 8.

Following: line 7

Strike: "provisions"

Following: "respond"

Insert: "to the person or entity to whom the statements were  
made"

- END -

(see over)

SENATE JUDICIARY

Exhibit No. 4

Date 1-11-05

Bill No. SB 49

1 (a) A person who is authorized to receive records under this section shall maintain the confidentiality  
2 of the records and may not disclose information in the records to anyone other than the persons described in  
3 subsection (3)(a).

4 (b) ~~However, this~~ This subsection (6) may not be construed to compel a family member person  
5 responsible for a child's welfare to keep the proceedings confidential. *to the news media, a member  
of the U.S. congress, or a state legislator  
or legislative committee*

6 (c) If a person responsible for a child's welfare makes ~~public statements~~ regarding any child abuse or  
7 neglect action taken under this chapter, ~~the public statements~~ *those* are considered to be a waiver of the confidentiality *by that person that person's*  
8 ~~provisions~~ under this chapter and the department may respond with fact-specific information regarding the case. *rights to  
to the person or entity to whom the statements were made*

9 (7) A news organization or its employee, including a freelance writer or reporter, is not liable for  
10 reporting facts or statements made by an immediate family member under subsection (6) if the news  
11 organization, employee, writer, or reporter maintains the confidentiality of the child who is the subject of the  
12 proceeding.

13 (8) This section is not intended to affect the confidentiality of criminal court records, records of law  
14 enforcement agencies, or medical records covered by state or federal disclosure limitations.

15 (9) ~~Copies~~ A single copy of records, evaluations, reports, or other evidence obtained or generated  
16 pursuant to this section that are provided to the parent, the guardian, or the parent or guardian's attorney must  
17 be provided without cost. The department may establish and charge a uniform fee for providing additional  
18 copies. If a fee is established, it must be charged uniformly and may not exceed the actual cost of providing the  
19 copies."

20 - END -