

EXHIBIT 1
DATE 1.12.05
SB 49

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 (12:57pm)

1. Page 4, line 3.

Following: "(3)(a)"

Insert: ", except as provided in subsection (6)(b)"

2. Page 4, line 6.

Following: "statements"

Insert: ", orally or in writing, or private, written statements
to the news media, a member of the United States congress,
or a state legislator or legislative committee"

3. 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"

4. Page 4, line 8.

Following: line 7

Strike: "provisions"

Following: "respond"

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

5. Page 4, line 8.

Following: "case"

Insert: "unless disclosure of the information is determined to be
detrimental to the child"

- END -

(SEE OVER)
SENATE JUDICIARY
Exhibit No. 1
Date 1-12-05
Bill No. SB49

SB 49
(SB 004906. ^{2v1} ~~and~~)

1 (6) (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) *, except as provided in subsection (b)(b)*

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.

6 (c) If a person responsible for a child's welfare *, orally, or in writing, or private, written statements to the news media*
7 neglect action taken under this chapter, ~~the public statements~~ *those* are considered to be a waiver of the confidentiality
8 ~~provisions under this chapter and the department may respond with fact-specific information regarding the case.~~ *by that person this person's right to Congress or a state legislature or legislative committee*
9 *unless disclosure of the information is determined to be detrimental to the child*

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

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

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

- END -