

**\*\*\* Pending \*\*\***

**COMMITTEE AMENDMENT NO 1 PROPOSED TO**

**Senate Bill No. 2062**

**BY: Committee**

**Amend by striking all after the enacting clause and inserting  
in lieu thereof the following:**

12        **SECTION 1.** The identity, home address, any telephone number  
13 or other private information of any law enforcement officer,  
14 criminal investigator, judge or district attorney or the spouse or  
15 child of such law enforcement officer, criminal investigator,  
16 judge or district attorney shall be exempt from the Mississippi  
17 Public Records Act of 1983. Provided, however, any court  
18 transcript or recording shall be excluded from this exemption,  
19 provided, that it was given under oath and is not otherwise  
20 excluded by law.

21        **SECTION 2.** (1) As used in this section, unless the context  
22 clearly indicates otherwise:

23               (a) "Certified peer support member" means a law  
24 enforcement officer, fireman or emergency medical technician of an  
25 emergency service agency or entity who has received training in  
26 critical incident stress management and who is certified as a peer  
27 support member by the State Board of Health or the Department of  
28 Public Safety to provide emotional and moral support to an  
29 emergency responder who needs those services as a result of

30 job-related stress or an incident in which the emergency responder  
31 was involved while acting in his official capacity.

32 (b) "Peer support event" means any debriefing, defusing  
33 or counseling session conducted by a certified peer support member  
34 that involves the emotional or moral support of an emergency  
35 responder who needs those services as a result of job-related  
36 stress or an incident in which the emergency responder was  
37 involved while acting in his official capacity.

38 (2) A certified peer support member shall not be compelled,  
39 without the consent of the emergency responder making the  
40 communication, to testify or in any way disclose the contents of  
41 any communication made to the certified peer support member by the  
42 emergency responder while engaged in a peer support event. This  
43 privilege only applies when the communication was made to the  
44 certified peer support member during the course of an actual peer  
45 support event.

46 (3) The privilege shall not apply if:

47 (a) The certified peer support member was an initial  
48 emergency service responder, a witness or a party to the incident  
49 that prompted the providing of the peer support event to the  
50 emergency responder;

51 (b) A communication reveals the intended commission of  
52 a crime or harmful act and such disclosure is determined to be  
53 necessary by the certified peer support member to protect any  
54 person from a clear, imminent risk of serious mental or physical  
55 harm or injury, or to forestall a serious threat to the public  
56 safety; or

57 (c) A crime has been committed and divulged.

58 (4) Any certified peer support member who reveals the  
59 contents of a privileged communication, or any person who  
60 threatens, intimidates, or in any way attempts to compel a  
61 certified peer support member to disclose the contents of a

62 privileged communication, shall be guilty of a misdemeanor and  
63 shall be punished by a fine of not more than Five Hundred Dollars  
64 (\$500.00) or by imprisonment in the county jail for not more than  
65 six (6) months, or by both such fine and imprisonment.

66 **SECTION 3.** This act shall take effect and be in force from  
67 and after July 1, 2006.

**Further, amend by striking the title in its entirety and  
inserting in lieu thereof the following:**

1 AN ACT TO EXEMPT PERSONAL INFORMATION OF LAW ENFORCEMENT,  
2 JUDICIAL AND PROSECUTORIAL PERSONNEL FROM THE MISSISSIPPI PUBLIC  
3 RECORDS ACT OF 1983; TO CREATE A PRIVILEGE TO PROTECT THE CONTENTS  
4 OF ANY COMMUNICATION MADE TO A CERTIFIED PEER SUPPORT MEMBER BY AN  
5 EMERGENCY RESPONDER WHILE ENGAGED IN A PEER SUPPORT EVENT; TO  
6 DEFINE CERTAIN TERMS RELATING TO THE PRIVILEGE; TO PROVIDE  
7 EMOTIONAL AND MORAL SUPPORT FOR LAW ENFORCEMENT OFFICERS AND OTHER  
8 EMERGENCY RESPONDERS; TO PROVIDE A CRIMINAL PENALTY FOR REVEALING  
9 THE CONTENTS OF SUCH PRIVILEGED COMMUNICATION; AND FOR RELATED  
10 PURPOSES.