

**Adopted
COMMITTEE AMENDMENT NO 1 PROPOSED TO**

House Bill No. 1454

BY: Committee

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

12 SECTION 1. The home address, any telephone number of a
13 privately paid account or other private information of any law
14 enforcement officer, criminal investigator, judge or district
15 attorney or the spouse or child of such law enforcement officer,
16 criminal investigator, judge or district attorney shall be exempt
17 from the Mississippi Public Records Act of 1983. This exemption
18 does not apply to any court transcript or recording if given under
19 oath and not otherwise excluded by law.

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

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

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

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

45 (3) The privilege shall not apply if:

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

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

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

57 (4) Any certified peer support member who reveals the
58 contents of a privileged communication, or any person who
59 threatens, intimidates, or in any way attempts to compel a
60 certified peer support member to disclose the contents of a
61 privileged communication, shall be guilty of a misdemeanor and
62 shall be punished by a fine of not more than Five Hundred Dollars

63 (\$500.00) or by imprisonment in the county jail for not more than
64 six (6) months, or by both such fine and imprisonment.

65 **SECTION 3.** This act shall take effect and be in force from
66 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.