

By: Representatives Anderson (122nd),
Creekmore IV

To: Judiciary B

HOUSE BILL NO. 1062

1 AN ACT TO AMEND SECTION 13-1-22.1, MISSISSIPPI CODE OF 1972,
2 TO REVISE PERSONS INCLUDED IN THE COVERAGE OF PRIVILEGED
3 COMMUNICATIONS FOR EVIDENTIARY PURPOSES TO INCLUDE CERTIFIED PEER
4 SUPPORT MEMBERS; AND FOR RELATED PURPOSES.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

6 **SECTION 1.** Section 13-1-22.1, Mississippi Code of 1972, is
7 amended as follows:

8 13-1-22.1. (1) As used in this section, unless the context
9 clearly indicates otherwise:

10 (a) "Certified peer support member" means a current or
11 retired law enforcement officer, * * * firefighter of a public or
12 volunteer firefighting entity, emergency communications worker, a
13 civilian employee of a first responding agency or entity or
14 emergency medical technician of an emergency service agency or
15 entity who has received training in critical incident stress
16 management and who is certified as a peer support member by the
17 State * * * Department of Health, the State Fire Academy or the
18 Department of Public Safety's Office of Standards and Training to
19 provide emotional and moral support to * * * current or retired



20 emergency service responder who needs those services as a result
21 of job-related stress or an incident in which the emergency
22 responder was involved while acting in his official capacity.
23 Retired members must have retired in good standing and be
24 receiving retirement benefits.

25 (b) "Peer support event" means any debriefing, defusing
26 or counseling session conducted by a certified peer support member
27 that involves the emotional or moral support of an emergency
28 service responder who needs those services as a result of
29 job-related stress or an incident in which the emergency service
30 responder was involved while acting in his official capacity.

31 (c) "Emergency service responder" means a current or
32 retired law enforcement officer, firefighter of a public or
33 volunteer firefighting entity, emergency communications worker, a
34 civilian employee of a first responding agency or entity or
35 emergency medical technician of an emergency service agency or
36 entity.

37 (2) A certified peer support member or participating
38 emergency service responder shall not be compelled, without the
39 consent of the emergency service 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 service 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 or participating
59 service responder who reveals the contents of a privileged
60 communication, or any person who threatens, intimidates, or in any
61 way attempts to compel a certified peer support member or
62 participating service responder to disclose the contents of a
63 privileged communication, shall be guilty of a misdemeanor and
64 shall be punished by a fine of not more than Five Hundred Dollars
65 (\$500.00) or by imprisonment in the county jail for not more than
66 six (6) months, or by both such fine and imprisonment.

67 **SECTION 2.** This act shall take effect and be in force from
68 and after July 1, 2023.

