

AMENDMENT PROPOSED TO

Am #1-

HOUSE BILL NO. 564

By Robinson (84)

Amend on line 364 by inserting the language  
"a court order issued under" before the  
word "his"

Amend further on line 596 by striking "if" and  
inserting "where" in lieu thereof

Amend further on line 597 by striking ", or if one (1)"  
and inserting "and where all" in lieu thereof

Amend further on line 598 by striking "has" and  
inserting "have" in lieu thereof

Amend further on line 611 by inserting "Section 41-29-502" or  
after the word "of"

AMEND TITLE (to conform) (as follows):

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Amend further by inserting the following language after  
Line 657 and renumbering the succeeding section:

15 SECTION 1. The following shall be codified as Section  
16 41-29-502, Mississippi Code of 1972:

17 41-29-502. (1) Except as otherwise specifically provided in  
18 this article, it is unlawful for any individual, partnership,  
19 corporation or association, or the State of Mississippi, its  
20 agencies and political subdivisions, to:

21 (a) Intentionally intercept or record, endeavor to  
22 intercept or record, or procure any other person to intercept or  
23 record or endeavor to intercept or record, any wire, oral or  
24 electronic communication;

25 (b) Intentionally disclose, or endeavor to disclose, to  
26 any other person the contents of any wire, oral or electronic  
27 communication, knowing or having reason to know that the  
28 information was obtained through the interception or recording of  
29 a wire, oral or electronic communication in violation of this  
30 article; or

31 (c) Intentionally use, or endeavor to use, the contents  
32 of any wire, oral or electronic communication, knowing or having

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33 reason to know that the information was obtained through the  
34 interception or recording of a wire, oral or electronic  
35 communication in violation of this article.

36 (2) Notwithstanding the provisions of subsection (1) of this  
37 section, it is lawful under this article for a person to intercept  
38 or record a wire, oral or electronic communication where the  
39 person is a party to the communication and where all of the  
40 parties to the communication have given prior consent to the  
41 interception or recording, unless the communication is intercepted  
42 or recorded for the purpose of committing any criminal or tortious  
43 act in violation of the Constitution or laws of the United States  
44 or of this state, or for the purpose of committing any other  
45 injurious act.

46 (3) Where the consent of all parties to a communication is  
47 needed under this article, consent shall be considered obtained  
48 whenever one (1) party has announced to all other parties to the  
49 communication, in any reasonably effective manner, that the  
50 communication is about to be intercepted or recorded. If the  
51 communication is to be recorded, that announcement also shall be  
52 recorded.

AMEND TITLE (to conform) (as follows):

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