

SENATE BILL No. 99

DIGEST OF INTRODUCED BILL

Citations Affected: IC 34-46-3-1.

Synopsis: Parental privilege. Provides that a parent is not required to testify concerning a communication between the parent and the parent's child, and that an adult child or emancipated child is not required to testify concerning a communication between the child and the child's parent.

Effective: July 1, 2017.

Kruse

January 3, 2017, read first time and referred to Committee on Civil Law.



First Regular Session 120th General Assembly (2017)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2016 Regular Session of the General Assembly.

SENATE BILL No. 99

A BILL FOR AN ACT to amend the Indiana Code concerning civil law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

1 SECTION 1. IC 34-46-3-1 IS AMENDED TO READ AS
2 FOLLOWS [EFFECTIVE JULY 1, 2017]: Sec. 1. Except as otherwise
3 provided by statute, the following persons shall not be required to
4 testify regarding the following communications:

5 (1) Attorneys, as to confidential communications made to them in
6 the course of their professional business, and as to advice given
7 in such cases.

8 (2) Physicians, as to matters communicated to them by patients,
9 in the course of their professional business, or advice given in
10 such cases.

11 (3) ~~Clergymen~~ **Clergy**, as to the following confessions,
12 admissions, or confidential communications:

13 (A) Confessions or admissions made to a ~~clergyman~~ **member**
14 **of the clergy** in the course of discipline enjoined by the
15 ~~clergyman's~~ **clergy member's** church.

16 (B) A confidential communication made to a ~~clergyman~~
17 **member of the clergy** in the ~~clergyman's~~ **clergy member's**



- 1 professional character as a spiritual adviser or counselor.
- 2 (4) Husband and wife, as to communications made to each other.
- 3 **(5) A parent, as to a communication between the parent and**
- 4 **a biological or adoptive child of the parent, regardless of the**
- 5 **child's age.**
- 6 **(6) An adult child or an emancipated child, as to a**
- 7 **communication between the child and the child's biological or**
- 8 **adoptive parent.**

