

HOUSE BILL NO. 1091

101ST GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE HOVIS.

2041H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 546, RSMo, by adding thereto one new section relating to privileged communications.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 546, RSMo, is amended by adding thereto one new section, to be known as section 546.265, to read as follows:

546.265. 1. As used in this section, the following terms mean:

(1) "Crime stoppers organization", a private, not-for-profit organization that collects and expends donations for rewards to persons who report to the organization information concerning criminal activity and that forwards such information to appropriate law enforcement agencies;

(2) "Privileged communication", information by an anonymous person to a crime stoppers organization for the purpose of reporting alleged criminal activity.

2. No person shall be required to disclose, by way of testimony or otherwise, a privileged communication between a person who submits a report of alleged criminal activity to a crime stoppers organization and the person who accepts the report on behalf of a crime stoppers organization or to produce, under subpoena, any records, documentary evidence, opinions, or decisions relating to such privileged communication:

(1) In connection with any criminal case or proceeding; or

(2) By way of any discovery procedure.

3. Any person arrested or charged with a criminal offense may petition the court for an in camera inspection of the records of a privileged communication concerning such person made to a crime stoppers organization. The petition shall allege facts showing that

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **such records would provide evidence favorable to the defendant and relevant to the issue**
19 **of guilt or punishment. If the court determines that the person is entitled to all or any part**
20 **of such records, the court may order production and disclosure as the court deems**
21 **appropriate.**

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