

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 2473, Pages 2 and 3, Section 610.100, Lines 42 to 75, by deleting all of  
2 said lines and inserting in lieu thereof the following:

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4 "4. (1) Notwithstanding any other provision of this section or law to the contrary, incident reports  
5 and investigative reports involving suicide or attempted suicide, and any medical records contained  
6 within such reports involving instances of rape, sexual assault, or any other sexual offense under  
7 chapter 566, shall not be public records or documents subject to the provisions of this chapter and  
8 shall permanently be characterized as closed records.

9 (2) Except as authorized by this section or any other law or rule for purposes including  
10 administrative necessities, court adjudications, or law enforcement, such reports shall not be  
11 released for any purpose whatsoever, except that suicide and attempted suicide records shall be  
12 released upon the request of an individual who is the subject of the report of attempted suicide or  
13 upon the request of such individual's parent or guardian if the individual is a minor or is  
14 incapacitated. If a suicide did occur, then such records shall be released to the victim's familial  
15 relations within the second degree of consanguinity or affinity upon request. Reports that have not  
16 been redacted containing medical records related to rape, sexual assault, and any other sexual  
17 offense under chapter 566 shall be released only upon the request of an individual who is the  
18 reported victim of any such crime, to his or her parent or guardian if the individual is a minor, or to  
19 his or her parent or guardian if the individual is incapacitated. A law enforcement agency may  
20 release any information from reports involving suicide or attempted suicide, upon its own volition  
21 and without the consent of the individual who is the reported victim of any such act, if the release of  
22 such information is immediately necessary to the preservation of the health and safety of an  
23 individual or the public health and welfare.

24 (3) The sovereign immunity of a law enforcement agency from liability and suit for  
25 compensatory damages is hereby expressly waived in any instance in which a law enforcement  
26 officer or agency intentionally discloses such reports in violation of the provisions of this  
27 subsection. A violation of this subsection due to a negligent act or omission by a law enforcement  
28 officer or a law enforcement agency shall be subject to discipline by the agency and the Police  
29 Officer Standards and Training Commission under chapter 590."; and

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31 Further amend said bill and section, Page 3, Line 77 by enclosing in brackets the word  
32 "incompetent" on said line and inserting immediately thereafter the word "incapacitated"; and  
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34 Further amend such bill, Section 610.200, Page 5, Lines 14 to 17, by deleting all of said lines and  
35 inserting in lieu thereof the following:  
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Standing Action Taken \_\_\_\_\_ Date \_\_\_\_\_

Select Action Taken \_\_\_\_\_ Date \_\_\_\_\_

1 "2. Notwithstanding the provisions of any other law, any law enforcement agency with custody of  
2 an accident report or incident report shall not release the report containing any information about a  
3 suicide, attempted suicide, rape, sexual assault, or any other sexual offense under chapter 566,  
4 except as authorized under subsection 4 of section 610.100."; and  
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6 Further amend said bill by amending the title, enacting clause, and intersectional references  
7 accordingly.  
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