

FIRST REGULAR SESSION

# SENATE BILL NO. 312

101ST GENERAL ASSEMBLY

INTRODUCED BY SENATOR ROBERTS.

1436S.01I

ADRIANE D. CROUSE, Secretary

## 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  
2 one new section, to be known as section 546.265, to read as  
3 follows:

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

3 (1) "Crime stoppers organization", a private, not-for-  
4 profit organization that collects and expends donations for  
5 rewards to persons who report to the organization  
6 information concerning criminal activity and that forwards  
7 such information to appropriate law enforcement agencies;  
8 (2) "Privileged communication", information by an  
9 anonymous person to a crime stoppers organization for the  
10 purpose of reporting alleged criminal activity.

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

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

21           (2) By way of any discovery procedure.

22           3. Any person arrested or charged with a criminal  
23 offense may petition the court for an in-camera inspection  
24 of the records of a privileged communication concerning the  
25 report such person made to a crime stoppers organization.  
26 The petition shall allege facts showing that such records  
27 would provide evidence favorable to the defendant and  
28 relevant to the issue of guilt or punishment. If the court  
29 determines that the person is entitled to all or any part of  
30 such records, the court may order production and disclosure  
31 as the court deems appropriate.

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