

ENROLLED

CS/HB 1281, Engrossed 1

2024 Legislature

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

An act relating to interception and disclosure of oral communications; amending s. 934.03, F.S.; authorizing the interception and recording of an oral communication by the parent or legal guardian of a child under a specified age under certain circumstances; requiring that the recording be provided to a law enforcement agency; prohibiting any further dissemination or sharing of the recording; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Present paragraph (1) of subsection (2) of section 934.03, Florida Statutes, is redesignated as paragraph (m), and a new paragraph (1) is added to that subsection, to read:

934.03 Interception and disclosure of wire, oral, or electronic communications prohibited.—

(2)

(1)1. It is lawful under this section and ss. 934.04-934.09 for a parent or legal guardian of a child under 18 years of age to intercept and record an oral communication if the child is a party to the communication and the parent or legal guardian has reasonable grounds to believe that recording the

ENROLLED

CS/HB 1281, Engrossed 1

2024 Legislature

26 | communication will capture a statement by another party to the
27 | communication that the other party intends to commit, is
28 | committing, or has committed an unlawful sexual act or an
29 | unlawful act of physical force or violence against the child.

30 | 2. A recording authorized under this paragraph which
31 | captures a statement by a party that the party intends to
32 | commit, is committing, or has committed an unlawful sexual act
33 | or an unlawful act of physical force or violence against a child
34 | must be provided to a law enforcement agency and may be used for
35 | the purpose of evidencing the intent to commit or the commission
36 | of a crime specified in subparagraph 1. against a child. A
37 | recording authorized under this paragraph may not be otherwise
38 | disseminated or shared.

39 | Section 2. This act shall take effect upon becoming a law.