

CHAPTER 2024-131

Committee Substitute for House Bill No. 1281

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

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

(2)

(l)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 communication will capture a statement by another party to the communication that the other party intends to commit, is committing, or has committed an unlawful sexual act or an unlawful act of physical force or violence against the child.

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

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

Approved by the Governor April 26, 2024.

Filed in Office Secretary of State April 26, 2024.