

## **COMMITTEE AMENDMENT ANALYSIS**

**Bill:** House Bill 2400

**Printer's No.:** 3728

**Amendment No.:** A13132

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**Summary:** The victim exception is narrowed so that instead of applying to “any individual” it applies to a “victim, witness or private detective” licensed under the Private Detective Act of 1953. Private detectives are included so any disclosures made under this provision may be used for the purpose of providing exculpatory evidence in an open or closed case. The definition of “crime of violence” is narrowed to specifically enumerate the offenses to which the “victim exception” would apply.

The amendment to section 5704(2)(i) is deleted and the exception is moved to the definition of “intercept.” A law enforcement officer may use a lawfully obtained device and pose as the actual person who is the intended recipient if he has received the approval of the Attorney General or district attorney (or a designated deputy) in writing. The person giving approval must be satisfied that the communication involves suspected criminal activities.

The “clean hands” provision in section 5717(a.2) has been deleted.

The changes to the definition of “oral communication” are removed from the bill.