5280 AMH ESLI WICM 603

**SB 5280** - H AMD TO HSEL COMM AMD (H-1741.1/23) **556**

By Representative Eslick

**NOT ADOPTED 04/11/2023**

 On page 6, line 3 of the striking amendment, after "practitioner," strike "member of the clergy,"

 On page 8, line 3 of the striking amendment, after "(g)" insert "(i) The reporting requirement in (a) of this subsection also applies to members of the clergy, except with regard to information that a member of the clergy obtains in the member's professional character as a religious or spiritual advisor when the information is obtained solely as a result of a confession made pursuant to the clergy-penitent privilege as provided in RCW 5.60.060(3), and the member of the clergy is authorized to hear such confession, and has a duty under the discipline, tenets, doctrine, or custom of the member's church, religious denomination, religious body, spiritual community, or sect to keep the confession secret. The clergy-penitent privilege does not apply and the member of the clergy shall report child abuse or neglect if the member of the clergy has received the information from any source other than from a confession.

 (ii) Nothing in this subsection (1)(g) limits a member of the clergy's duty to report child abuse or neglect when the member of the clergy is acting in some other capacity that would otherwise require them to make a report.

 (h)"

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|  |  EFFECT: Makes the following changes to the underlying bill: (1) Allows members of the clergy to not report child abuse or neglect if the information is obtained in the clergy member's professional character as a religious or spiritual advisor when the information is obtained solely as a result of a confession made under clergy-penitent privilege, and the clergy member is authorized to hear the confession and has a duty under the doctrine or custom of the clergy member's church to keep the confession secret. (2) Requires that a member of the clergy report child abuse or neglect if the clergy member has received the information from any source other than a confession. |

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