

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

By Representative Eslick

NOT ADOPTED 04/11/2023

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

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

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

22 (h)"

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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