

GENERAL ASSEMBLY OF NORTH CAROLINA  
SESSION 2021

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HOUSE BILL 585  
PROPOSED COMMITTEE SUBSTITUTE H585-PCS10372-SA-16

Short Title: Fail to Report Crime/Privilege Exemption.

(Public)

Sponsors:

Referred to:

April 19, 2021

1 A BILL TO BE ENTITLED  
2 AN ACT TO PROVIDE THAT LICENSED MARRIAGE AND FAMILY THERAPISTS AND  
3 PSYCHIATRISTS ARE NOT REQUIRED TO REPORT CERTAIN CRIMES AGAINST  
4 JUVENILES IF A PRIVILEGE AGAINST DISCLOSURE UNDER STATE LAW WOULD  
5 PREVENT THEM FROM DOING SO.

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** G.S. 14-318.6(h) reads as rewritten:

8 "(h) Nothing in this section shall be construed as to require a person with (i) a privilege  
9 under G.S. 8-53.3, 8-53.7, 8-53.8, or ~~8-53.12~~ or ~~with 8-53.12~~, (ii) attorney-client ~~privilege~~  
10 ~~privilege~~, or (iii) psychiatrist-client or patient ~~privilege~~ to report pursuant to this section if that  
11 privilege would prevent them from doing so. Nothing in this section shall be construed as  
12 requiring a licensed marriage and family therapist with a privilege under G.S. 8-53.5 to report  
13 pursuant to this section if that privilege would prevent that person from doing so, but the privilege  
14 only applies to the primary client and not to any other family members. For purposes of this  
15 subsection, the term "primary client" means a person who consults or is interviewed by a licensed  
16 marriage and family therapist for the purpose of diagnosis or treatment."

17 **SECTION 2.** This act is effective when it becomes law.



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