

By: Kent, Marquez, Bolton, Coleman

H.B. No. 3303

A BILL TO BE ENTITLED

AN ACT

relating to the use of information and records acquired during a fatality review and investigation.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 672.009, Health and Safety Code, is amended by adding Subsection (e) to read as follows:

(e) Information, documents, and records that are confidential as provided by this section are not subject to subpoena or discovery and may not be introduced into evidence in any civil or criminal proceeding. A document or other information that is otherwise available from another source is not protected from subpoena, discovery, or introduction into evidence under this subsection solely because the document or information was acquired by a review team in the exercise of its duties under this chapter.

SECTION 2. The change in law made by this Act applies to a civil or criminal proceeding commenced on or after the effective date of this Act. A civil or criminal proceeding commenced before the effective date of this Act is governed by the law as it existed immediately before that date, and that law is continued in effect for that purpose.

SECTION 3. This Act takes effect September 1, 2009.