

By: Zaffirini

S.B. No. 1872

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the use of information and records acquired during a  
3 fatality review and investigation.

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

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

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

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

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