

BILL ANALYSIS

Senate Research Center

S.B. 1215
By: Moncrief
Criminal Justice
4/13/1999
As Filed

DIGEST

Currently, any medical or psychiatric information obtained in connection with a pre sentence or postsentence report is confidential and kept separate from the defendant's community supervision file and released only by order of a judge. By stipulating that medical or psychiatric information is for the purpose of continuity of care, access to confidential information is limited for a specific purpose, ensuring the defendant's right to privacy is safeguarded. This bill would set forth conditions for the release of confidential information obtained in connection with certain presentence investigations and postsentence reports.

PURPOSE

As proposed, S.B. 1215 sets forth conditions for the release of confidential information obtained in connection with certain presentence investigations and postsentence reports.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 9(j), Article 42.12, Code of Criminal Procedure, to authorize a report required by Subsection (a) or Subsection (k) and all information obtained in connection with a presentence investigation or postsentence report to be released pursuant to Section 614.017, Health and Safety Code. Deletes a provision regarding medical and psychiatric records. Makes conforming changes.

SECTION 2. Effective date: September 1, 1999. Makes application of this Act prospective.

SECTION 3. Emergency clause.