



General Assembly

January Session, 2003

**Amendment**

LCO No. 6389

\*SB0096906389SD0\*

Offered by:

SEN. MCDONALD, 27<sup>th</sup> Dist.

To: Subst. Senate Bill No. 969

File No. 634

Cal. No. 410

**"AN ACT CONCERNING INVESTIGATIVE SUBPOENAS."**

1 In line 23, after the period insert "No prosecuting official may issue  
2 a subpoena under this section that seeks testimony or the production  
3 of property with respect to a person's psychiatric or substance abuse  
4 treatment that is privileged pursuant to state or federal law."

5 In line 132, before "If" insert "(a)"

6 In line 134, after "psychiatric" insert "and substance abuse  
7 treatment"

8 In line 138, before "All" insert "(b)" and after "psychiatric" insert "and  
9 substance abuse treatment"

10 In line 143, after the period insert "Each prosecuting official shall  
11 establish procedures for the storage of such records that will ensure the  
12 confidentiality of such records."

13 After line 143, insert the following:

14       "(c) All medical records, including psychiatric and substance abuse  
15       treatment records, obtained by a prosecuting official as a result of the  
16       issuance of a subpoena pursuant to sections 1 to 12, inclusive, of this  
17       act may be used only for the purpose of the investigation of the  
18       criminal conduct that is the subject of such subpoena."

19       In line 206, after "judge" insert "or in recognition of any privilege  
20       established under law"