



Sen. Mike Jacobs

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09600HB1110sam002

LRB096 03921 RLC 26162 a

1 AMENDMENT TO HOUSE BILL 1110

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 1110, AS AMENDED,  
3 with reference to page and line numbers of Senate Amendment No.  
4 1, by replacing lines 17 through 26 on page 6 and line 1 on page  
5 7 with the following:

6 "(d-5) A prosecuting entity may issue: (i) a subpoena duces  
7 tecum for the result of an HIV test administered prior to the  
8 date of the alleged offense to a person charged with the  
9 offense of criminal transmission of HIV or (ii) a subpoena for  
10 the attendance of a person whose employment duties included  
11 notifying the person of the test result prior to the date of  
12 the alleged offense, so long as the return of the test result  
13 or attendance of the person pursuant to the subpoena is  
14 submitted initially to the Court for an in camera inspection.  
15 Only upon a finding by the Court that the test result or  
16 proffered testimony are relevant to the pending offense and  
17 that a prosecuting entity has a compelling need for the test  
18 result or attendance of the person, which need cannot be

1 reasonably accommodated by other means, the information sought  
2 by the subpoena shall be disclosed to the prosecuting entity  
3 and admissible if otherwise permitted by law. Upon the issuance  
4 of an order to disclose HIV test results, the Court shall  
5 impose appropriate safeguards against unauthorized disclosure,  
6 which shall specify the persons who may gain access to the  
7 information, the purposes for which the information shall be  
8 used, and appropriate prohibitions on future disclosure."