



Bill Number: S.B. 1309

Gray C Floor Amendment

Reference to: printed bill

Amendment drafted by: Amber O'Dell

## FLOOR AMENDMENT EXPLANATION

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- **Specifies that parental consent is not needed for the following:**
  - a DNA sample of certain juvenile offenders to be collected and maintained, pursuant to current law or a court order;
  - video or voice recordings that are made as a part of a court proceeding or a criminal or CPS forensic interview;
  - prescriptions, if a minor 12 years of age or older who is a sexual assault victim consents to examination, diagnosis and care in connection with the assault, pursuant to current law.
  
- **Prohibits a parent from accessing a child's medical record if:**
  - the parent is suspected of committing a crime against the child; and
  - a law enforcement official requests that the information not be released.
  
- **Stipulates that a court is not prohibited from issuing an order that is otherwise permitted by law.**
  
- **Prohibits a parent from consenting to a prescription order or a mental health screening if the parent does not have the right to consent due to a court order.**
  
- **Allows a health professional to write a prescription without parental consent pursuant to a court order.**
  
- **Modifies the definition of *parent* to include natural and adoptive parents.**

Amendment explanation prepared by Amber O'Dell

3/18/2010

GRAY C FLOOR AMENDMENT

SENATE AMENDMENTS TO S.B. 1309

(Reference to printed bill)

1 Page 1, line 30, after "LAW" insert "OR THE PARENT IS THE SUBJECT OF AN  
2 INVESTIGATION OF A CRIME COMMITTED AGAINST THE MINOR CHILD AND A LAW  
3 ENFORCEMENT OFFICIAL REQUESTS THAT THE INFORMATION NOT BE RELEASED"

4 Line 36, after "12-2803" insert "UNLESS AUTHORIZED PURSUANT TO SECTION 13-610 OR  
5 A COURT ORDER"

6 Line 39, after "IS" insert "MADE DURING OR AS A PART OF A COURT PROCEEDING,  
7 DURING OR AS PART OF A FORENSIC INTERVIEW IN A CRIMINAL OR CHILD PROTECTIVE  
8 SERVICES INVESTIGATION OR"

9 Page 2, line 6, after "THAT" strike remainder of line

10 Strike lines 7 and 8, insert "A CRIMINAL OFFENSE HAS BEEN COMMITTED AGAINST THE  
11 MINOR CHILD BY SOMEONE OTHER THAN A PARENT, UNLESS THE INCIDENT HAS FIRST  
12 BEEN REPORTED TO LAW ENFORCEMENT AND NOTIFICATION OF THE PARENT WOULD IMPEDE  
13 A LAW"

14 Between lines 9 and 10 insert:

15 "11. THE RIGHT TO OBTAIN INFORMATION ABOUT A CHILD PROTECTIVE SERVICES  
16 INVESTIGATION INVOLVING THE PARENT PURSUANT TO SECTION 8-807."

17 Line 12, after "PROHIBIT" insert "COURTS,"

18 Line 13, strike "DEVOTED TO" insert "RESPONSIBLE FOR"; after "WELFARE" strike  
19 remainder of line

20 Line 14, strike "IN A REASONABLE AND PRUDENT MANNER"

21 Line 15, after the period insert "THIS SECTION DOES NOT PROHIBIT A COURT FROM  
22 ISSUING AN ORDER THAT IS OTHERWISE PERMITTED BY LAW."

23 Line 25, after the second "THE" insert "NATURAL OR ADOPTIVE"

24 Page 5, line 5, after the second "the" insert "NATURAL OR ADOPTIVE"

25 Strike line 6, insert "LEGAL GUARDIAN OF A MINOR CHILD."

26 Line 11, after "SECTION" insert "13-1413 OR"

Senate Amendments to S.B. 1309

1 Page 5, lines 16 and 18, after "PARENTS" insert "OR FOSTER PARENTS OR A LEGAL  
2 CUSTODIAN, UNLESS A PARENT DOES NOT HAVE THE RIGHT TO CONSENT DUE TO A COURT  
3 ORDER"

4 Between lines 20 and 21, insert:

5 "4. THE HEALTH PROFESSIONAL IS ACTING PURSUANT TO A COURT ORDER."

6 Line 30, after "THE" insert "NATURAL OR ADOPTIVE"

7 Line 34, after "LAW" insert "OR A COURT ORDER"

8 Line 38, after "PARENT" insert "OR A LEGAL CUSTODIAN"

9 Amend title to conform

3/17/10  
6:04 PM  
S: A0/tam