

Committee on Judiciary

CS/HB 715 — Pub. Rec./Problem-solving Court Participant Records

by Criminal Justice Subcommittee and Rep. Maney and others (SB 910 by Senator Rouson)

The bill creates public records exemptions for information about a participant or potential participant which is contained in specific records of veterans treatment court programs and mental health programs. The proposed exemptions track an existing exemption for comparable records of treatment-based drug court programs.

The programs are part of the state’s “problem-solving courts.” The problem-solving courts are pre-trial intervention court programs that are intended to afford a defendant the opportunity to participate in getting the help he or she needs to deal with substance abuse and mental health disorders and avoid a criminal conviction.

The bill, with limited exceptions, makes confidential and exempt from public records inspection and copying requirements the following information contained in a participant’s or a potential participant’s records:

- Records created or compiled during screenings for participation in the program.
- Records created or compiled during substance abuse screenings.
- Behavioral health evaluations.
- Subsequent treatment status reports.

The exemptions are subject to the Open Government Sunset Review Act and will stand repealed on October 2, 2029, unless reviewed and saved from repeal by reenactment of the Legislature.

If approved by the Governor, or allowed to become law without the Governor’s signature, these provisions take effect upon becoming law.

Vote: Senate 39-0; House 117-0