Senator Unterman of the 45th offers the following amendment:

1. **Amend the Senate substitute to HB 436 (LC 33 6147S) by replacing "To amend" with "To revise statutory provisions relating to HIV; to amend" on line 1.**

2. **By inserting after "woman;" on line 4 the following:**
   to amend Code Section 24-12-21 of the Official Code of Georgia Annotated, relating to disclosure of AIDS confidential information, so as to change provisions relating to disclosure of such information under certain circumstances; to provide for procedure;

3. **By inserting between lines 45 and 46 the following:**

   **SECTION 1A.**

   Code Section 24-12-21 of the Official Code of Georgia Annotated, relating to disclosure of AIDS confidential information, is amended in paragraph (1) of subsection (s) by deleting "or" at the end of subparagraph (A) and adding a new subparagraph (C) to read as follows:

   "(C) Is suspected of being mentally ill and is the subject of an order issued pursuant to Code Section 37-3-41 when the court issuing such order finds in an in camera hearing by clear and convincing evidence a compelling need for the information which cannot be accommodated by other means. In assessing compelling need, the court shall weigh the public health, safety, or welfare needs or any other public or private need for the disclosure against the privacy interest of the person identified by the information and the public interest which may be disserved by disclosures which may deter voluntary HIV tests. If the court determines that disclosure of that information is authorized under this subparagraph, the court shall order that disclosure and impose appropriate safeguards against any unauthorized disclosure. The records of that hearing otherwise shall be under seal; or"