

HOUSE BILL NO. 24

IN THE LEGISLATURE OF THE STATE OF ALASKA

SEVENTEENTH LEGISLATURE - FIRST SESSION

BY REPRESENTATIVES SHARP, Gruenberg

Introduced: 1/21/91

Referred: Health, Education and Social Services, Judiciary, Finance

A BILL**FOR AN ACT ENTITLED**

1 "An Act relating to HIV testing for certain sexual offenders; and providing for an
2 effective date."

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

4 * Section 1. AS 18.15 is amended by adding a new section to read:

5 ARTICLE 3A. HUMAN IMMUNODEFICIENCY VIRUS (HIV).

6 Sec. 18.15.250. MANDATORY HIV TESTING FOR SEXUAL OFFENDERS. (a) The
7 department, in consultation with the Department of Corrections, shall establish procedures under
8 which each person convicted of violating AS 11.41.410 - 11.41.440 shall be tested to determine
9 whether the person is infected with the human immunodeficiency virus (HIV). The testing
10 required under this subsection may be conducted without the person's consent.

11 (b) Results of a test conducted under (a) of this section are confidential for purposes of
12 AS 09.25.110 - 09.25.120. However, the department shall promptly inform the following persons
13 about the results of a test conducted under (a) of this section, along with appropriate counseling:

14 (1) the spouse of the offender;

1 (2) the victim of the offense and the victim's legal custodian, if the victim is a
2 minor, if evidence presented at trial or during sentencing procedures indicated that the offender's
3 bodily fluids may have been transmitted to the victim; and

4 (3) the commissioner of corrections.

5 * Sec. 2. AS 18.15.250, enacted by sec. 1 of this Act, applies to persons convicted of violating
6 AS 11.41.410 - 11.41.440 on or after the effective date of this Act.

7 * Sec. 3. This Act takes effect immediately under AS 01.10.070(c).