

1st Sub. H.B. 369

SEXUAL OFFENSES AND STATUTORY NONCONSENT AMENDMENTS

Representative **Bruce R. Cutler** proposes the following amendments:

1. *Page 1, Lines 10 through 21:*

10 This bill amends and enacts provisions related to sexual offenses without the consent of
11 the victim when the actor is infected with {~~Human Immunodeficiency Virus or Acquired~~

12 ~~Immunodeficiency Virus~~} a sexually transmitted disease .

13 Highlighted Provisions:

14 This bill:

15 ▶ enacts provisions to enhance the classification of a sexual offense if the actor was
16 infected with {~~Human Immunodeficiency Virus or Acquired Immunodeficiency~~

17 ~~Virus~~} a sexually transmitted disease ;

18 ▶ amends provisions related to sexual offenses without the consent of the victim; and

19 ▶ enacts provisions criminalizing sexual conduct by a person infected with {~~Human~~
20 ~~Immunodeficiency Virus or Acquired Immunodeficiency Virus~~} a sexually transmitted disease
without informing

21 the other person of the infection.

2. *Page 2, Lines 35 through 40:*

35 76-3-203.12. Enhanced penalty for sexual offenses committed by a person with

36 {~~Human Immunodeficiency Virus or Acquired Immunodeficiency Virus~~} a sexually transmitted
disease .

37 (1) A person convicted of a sexual offense described in Chapter 5, Part 4, Sexual

38 Offenses, is subject to an enhanced penalty if at the time of the sexual offense the person was

39 infected with {~~Human Immunodeficiency Virus or Acquired Immunodeficiency Virus~~} a sexually
transmitted disease and the

40 person knew of the infection.

3. *Page 4, Lines 106 through 107:*

106 (a) the actor knows that the actor is infected with {~~the Human Immunodeficiency Virus~~

107 ~~or Acquired Immunodeficiency Virus~~} a sexually transmitted disease ; and