

76-10-1309 Enhanced penalties -- HIV positive offender.

A person who is convicted of prostitution under Section 76-10-1302, patronizing a prostitute under Section 76-10-1303, or sexual solicitation under Section 76-10-1313 is guilty of a third degree felony if at the time of the offense the person is an HIV positive individual, and the person:

- (1) has actual knowledge of the fact; or
- (2) has previously been convicted under Section 76-10-1302, 76-10-1303, or 76-10-1313.

Amended by Chapter 70, 2011 General Session