



House of Representatives *State of Utah*

UTAH STATE CAPITOL COMPLEX • 350 STATE CAPITOL
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February 22, 2011

Madam Speaker:

The Judiciary Committee reports a favorable recommendation on **H.B. 324**, HIV TESTING OF ALLEGED SEX OFFENDERS, by Representative R. Greenwood, with the following amendments:

1. Page 8, Line 242 through Page 9, Line 245:

242 (1) [~~Convicted~~] "Alleged sexual offender" means a person or a
243 {~~juvenile~~} minor [as provided
244 in Subsection ~~76-5-502(1)~~ regarding whom an indictment , petition, or an
245 information {~~approved by a~~
judge alleges has committed} has been filed alleging the commission of a sexual
246 offense or an attempted sexual offense under Title 76,
247 Chapter 5, Part 4, Sexual Offenses , and regarding which a judge has signed an
accompanying arrest warrant, pick up order, or any other order based upon
probable cause regarding the alleged offense .

2. Page 10, Lines 283 through 287:

283 (1) (a) {~~If an indictment or information alleges that a person who is an adult~~
or a
284 juvenile has committed a sexual offense or an attempted sexual offense, the}
285 An alleged victim of
286 the sexual offense , the parent or guardian of an alleged victim who is a minor,
or the guardian of an alleged victim who is a vulnerable adult as defined in Section
62A-3-301 - {~~described in the indictment or information~~} may request that the
287 alleged sexual offender
288 against whom the indictment {~~or~~} , information , or petition is filed be tested
289 to determine whether the alleged

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287 offender is an HIV positive individual.

3. Page 10, Lines 297 through 298:

297 (ii) the parent or guardian of the alleged victim, if the alleged victim is a minor ;
(iii) the legal guardian of the alleged victim if the victim is a vulnerable adult as
defined in Section 62A-3-301 ; {and}

298 ~~{(iii)}~~ (iv) the alleged offender ; and
(v) the parent or legal guardian of the alleged offender, if the offender is a
minor .

4. Page 10, Line 304:

(iii) the legal guardian of the alleged victim, if the victim is a vulnerable adult
as defined in Section 62A-3-301; {and}
304 ~~{(iii)}~~ (iv) the alleged offender ; and
(v) the parent or legal guardian of the alleged offender, if the offender is a
minor .

5. Page 10, Line 306:

306 or [~~adjudicated~~] alleged ~~{juvenile}~~ minor offender is already confined in a
county jail, state prison, or a

6. Page 14, Lines 402 through 403:

402 Chapter 5, Part 4, Sexual Offenses, upon the request of the victim ~~{or}~~ the
parent or guardian of a
403 [~~child~~] victim younger than 14 years of age , or the legal guardian of the alleged victim
if the victim is a vulnerable adult as defined in Section 62A-3-301 .

7. Page 14, Lines 406 through 407:

406 Offenses, upon the request of the victim ~~{or}~~ the parent or guardian of a victim

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younger than 14
407 years of age . or the legal guardian of the alleged victim if the victim is a vulnerable
adult as defined in Section 62A-3-301 .

Respectfully,

Kay L. McIff
Committee Chair

Voting: 11-0-2

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