



UTAH STATE SENATE

UTAH STATE CAPITOL COMPLEX • 320 STATE CAPITOL
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February 1, 2011

Mr. President:

The Judiciary, Law Enforcement, and Criminal Justice Committee reports a favorable recommendation on **S.B. 50**, ENHANCED PENALTIES FOR HIV POSITIVE OFFENDER AMENDMENTS, by Senator J. Stevenson, with the following amendments:

1. *Page 1, Lines 16 through 17:*

16 prostitute, or sexual solicitation, who {~~"knew or should have known" of the~~
-} is HIV
17 positive {~~test results~~}, is guilty of a third degree felony;

2. *Page 2, Lines 41 through 43:*

41 A person who is an HIV positive individual {~~and~~} [has actual knowledge] {~~-~~
knew or should
42 have known} {~~of that fact~~} [and has received written personal notice of the
positive test results
43 from a law enforcement agency pursuant to Section 76-10-1312] at the time of the
offense and is convicted of:

3. *Page 3, Lines 61 through 62:*

61 (2) "HIV positive individual" means a person who {~~is HIV positive~~} [and has

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actual

62 knowledge of his disease] has an HIV infection as determined under Subsection (1) .

4. Page 3, Lines 77 through 79:

- 77 ~~sentencing hearing in the presence of the judge and counsel only~~] by ;
(a) the local law enforcement
78 agency {.} ;
(b) the Department of Corrections , for offenders confined in any state
prison {, or} ;
(c) the state Department of Health {.} ; or
(d) {by} an authorized
79 representative of any of {these} the agencies listed in this Subsection (1) .

Respectfully,

Mark B. Madsen
Committee Chair

Voting: 5-0-1

3 SB0050.SC1.WPD /JDH SCA/SES 2/1/11 3:49 pm

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