

# H.B. 324

## HIV TESTING OF ALLEGED SEX OFFENDERS

Representative **Richard A. Greenwood** proposes the following amendments:

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

242 (1) [~~Convicted~~] "Alleged sexual offender" means a person or a {~~juvenile~~} minor [as provided  
243 in ~~Subsection 76-5-502(1)~~] regarding whom an indictment , petition, or an information {~~approved by a~~  
244 ~~judge alleges has committed~~} has been filed alleging the commission of a sexual offense or an  
attempted sexual offense under Title 76,  
245 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~~} - An alleged victim of  
285 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 alleged sexual offender  
286 against whom the indictment {~~or~~} , information , or petition is filed be tested to determine  
whether the alleged  
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.

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.

5. Page 10, Line 306:

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

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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 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** .