

By: Representatives Moore, Wells-Smith,
Bentz, Chism, Ellington, Fillingane,
Martinson, Mayhall, Reed, Reeves, Staples

To: Judiciary B

HOUSE BILL NO. 1298
(As Passed the House)

1 AN ACT TO PROHIBIT KNOWINGLY EXPOSING ANOTHER PERSON TO A
2 HUMAN IMMUNODEFICIENCY VIRUS (HIV); TO PROVIDE PENALTIES FOR
3 VIOLATIONS OF THIS ACT; AND FOR RELATED PURPOSES.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

5 **SECTION 1.** (1) It shall be unlawful for any person to
6 knowingly expose another person to a human immunodeficiency virus
7 (HIV). Prior knowledge and willing consent to the exposure is a
8 defense to the crime set forth herein.

9 (2) For a violation of this section where no cure is
10 available for such disease such violation shall be a felony and,
11 upon conviction, a violator shall be punished by imprisonment for
12 not more than ten (10) years and a fine of not more than Ten
13 Thousand Dollars (\$10,000.00).

14 (3) The provisions of this section shall be in addition to
15 any other provisions of law for which the actions described in
16 this section may be prosecuted.

17 **SECTION 2.** This act shall take effect and be in force from
18 and after July 1, 2004.