

SENATE BILL NO. 2816

1 AN ACT TO CREATE A CRIME OF ENDANGERING A CORRECTIONS
2 EMPLOYEE WHEN AN OFFENDER KNOWINGLY ATTEMPTS OR CAUSE A
3 CORRECTIONS EMPLOYEE TO COME IN CONTACT WITH BODY FLUIDS INFECTED
4 WITH CERTAIN DISEASES.

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

6 **SECTION 1.** (1) For the purpose of this section, the
7 following terms mean:

8 (a) "Corrections employee" means a person who is an
9 employee, or contracted employee of a subcontractor of a
10 department or agency responsible for operating a jail, prison,
11 correctional facility, or a person who is assigned to work in a
12 jail, prison or correctional facility;

13 (b) "Offender" means a person in the custody of the
14 Department of Corrections;

15 (c) "Prisoner" means a person confined in a county or
16 city jail.

17 (2) Any offender or prisoner commits the crime of
18 endangering a corrections employee, a visitor to a correctional
19 facility, or another offender or prisoner if he attempts to cause
20 or knowingly causes such person to come into contact with blood,
21 seminal fluid, urine, feces or saliva.

22 (3) Endangering a corrections employee, a visitor to a
23 correctional facility, or another offender or prisoner is a felony
24 unless the substance is unidentified, in which case it is a
25 misdemeanor. If an offender or prisoner is knowingly infected
26 with the Human Immunodeficiency Virus (HIV), Hepatitis B or
27 Hepatitis C and exposes another person to HIV or Hepatitis B or
28 Hepatitis C by committing the crime of endangering a corrections

29 employee, a visitor to a correctional facility, or another
30 offender or prisoner, it is a felony.

31 (4) Punishment for any person guilty of a felony violation
32 upon conviction shall be imprisoned for not less than three (3)
33 years nor more than five (5) years and may be fined Ten Thousand
34 Dollars (\$10,000.00), or both.

35 (5) Punishment for any person guilty of a misdemeanor
36 violation upon conviction shall be punished by imprisonment in the
37 county jail for up to one (1) year and may be fined One Thousand
38 Dollars (\$1,000.00), or both.

39 **SECTION 2.** This act shall take effect and be in force from
40 and after July 1, 2006.