

By: Representative Hines

To: Judiciary B

HOUSE BILL NO. 121

1 AN ACT TO AMEND SECTION 97-27-14, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE CRIME OF ENDANGERMENT FOR KNOWINGLY EXPOSING ANOTHER
3 PERSON TO INFECTIOUS BODY FLUIDS; AND FOR RELATED PURPOSES.

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

5 **SECTION 1.** Section 97-27-14, Mississippi Code of 1972, is
6 amended as follows:

7 97-27-14. (1) It shall be unlawful for any person to
8 knowingly expose another person to human immunodeficiency virus
9 (HIV), hepatitis B or hepatitis C. Prior knowledge and willing
10 consent to the exposure is a defense to a charge brought under
11 this paragraph. A violation of this subsection shall be a felony.

12 (2) (a) A person commits the crime of endangerment by
13 bodily substance if the person attempts to cause or knowingly
14 causes a corrections employee, a visitor to a correctional
15 facility or another prisoner or offender to come into contact with
16 blood, seminal fluid, urine, feces or saliva.



17 (b) As used in this subsection, the following
18 definitions shall apply unless the context clearly requires
19 otherwise:

20 (i) "Corrections employee" means a person who is
21 an employee or contracted employee of a subcontractor of a
22 department or agency responsible for operating a jail, prison,
23 correctional facility or a person who is assigned to work in a
24 jail, prison or correctional facility.

25 (ii) "Offender" means a person who is in the
26 custody of the Department of Corrections.

27 (iii) "Prisoner" means a person confined in a
28 county or city jail.

29 (c) A violation of this subsection is a misdemeanor
30 unless the person violating this section knows that he is infected
31 with human immunodeficiency virus (HIV), hepatitis B or hepatitis
32 C, and the exposure is to blood or seminal fluid, in which case it
33 is a felony.

34 (3) Any person convicted of a felony violation of this
35 section shall be imprisoned for not less than three (3) years nor
36 more than ten (10) years and a fine of not more than Ten Thousand
37 Dollars (\$10,000.00), or both.

38 (4) Any person guilty of a misdemeanor violation of this
39 section shall be punished by imprisonment in the county jail for
40 up to one (1) year and may be fined One Thousand Dollars
41 (\$1,000.00), or both.



42 (5) The provisions of this section shall be in addition to
43 any other provisions of law for which the actions described in
44 this section may be prosecuted.

45 **SECTION 2.** This act shall take effect and be in force from
46 and after July 1, 2019.

