

By: Representatives Butler-Washington, Gibbs To: Judiciary B
(72nd), Hulum, James-Jones, Nelson

HOUSE BILL NO. 1050

1 AN ACT TO AMEND SECTION 97-27-14, MISSISSIPPI CODE OF 1972,
2 TO REVISE THE CRIME OF CAUSING EXPOSURE TO CERTAIN CONTAGIOUS
3 DISEASES TO INTENTIONAL TRANSMISSION OF INFECTIOUS DISEASES; TO
4 ESTABLISH DEFENSES TO PROSECUTION; TO REVISE THE PENALTIES FOR
5 PERSONS GUILTY OF COMMITTING THE CRIMES OF INTENTIONAL
6 TRANSMISSION OF INFECTIOUS DISEASES AND ENDANGERMENT BY BODILY
7 SUBSTANCE; AND FOR RELATED PURPOSES.

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

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

11 97-27-14. (1) It shall be unlawful for any person to * * *
12 act with the specific intent to transmit an infectious disease to
13 another person * * * through an activity that creates a
14 substantial risk of transmission and transmits an infectious
15 disease to another person.

16 (2) It is a defense to prosecution under this section if:

17 (a) The person who acquired the infectious disease knew
18 of the defendant's positive status before engaging in the conduct
19 that posed a substantial risk of transmission; or



20 (b) The infectious disease was not transmitted to the
21 person; or

22 (c) The person took or attempted to take means to
23 prevent transmission of the infectious disease.

24 (3) For the purposes of this section, the following terms
25 have the meanings ascribed in this subsection:

26 (a) "Infectious disease" means a nonairborne or
27 nonrespiratory disease spread from person to person which is fatal
28 or causes disabling long-term consequences in the absence of
29 lifelong treatment and management.

30 (b) "Conduct that poses a substantial risk of
31 transmission" means an activity that has a reasonable probability
32 of disease transmission as proven by competent medical or
33 epidemiological evidence. Conduct posing a low or negligible risk
34 of transmission, as proven by competent medical or epidemiological
35 evidence, does not meet the definition of "conduct that poses a
36 substantial risk of transmission."

37 (c) "Means to prevent transmission" means any method,
38 device, behavior or activity scientifically demonstrated to
39 measurably limit, reduce or eliminate the risk of transmitting an
40 infectious disease, including, but not limited to, the use of a
41 condom, barrier protection or prophylactic device, or compliance
42 with a medical treatment regimen for the infectious disease
43 prescribed by a health officer or physician. A person may not be
44 deemed to have acted with specific intent solely because the



45 person failed to use or attempt to use means to prevent
46 transmission of an infectious disease.

47 (* * *4) (a) A person commits the crime of endangerment by
48 bodily substance if the person * * * specifically intends to
49 transmit an infectious disease and transmits an infectious disease
50 to a corrections employee, a visitor to a correctional facility or
51 another prisoner or offender * * *.

52 (b) As used in this subsection, the following
53 definitions shall apply unless the context clearly requires
54 otherwise:

55 (i) "Corrections employee" means a person who is
56 an employee or contracted employee of a subcontractor of a
57 department or agency responsible for operating a jail, prison,
58 correctional facility or a person who is assigned to work in a
59 jail, prison or correctional facility.

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

62 (iii) "Prisoner" means a person confined in a
63 county or city jail.

64 * * *

65 (* * *5) * * * A violation of this section is a misdemeanor
66 and shall be punished by imprisonment in the county jail for up to
67 one (1) year and may be fined One Thousand Dollars (\$1,000.00), or
68 both.



69 (* * *6) The provisions of this section shall be in
70 addition to any other provisions of law for which the actions
71 described in this section may be prosecuted.

72 **SECTION 2.** This act shall take effect and be in force from
73 and after July 1, 2025.

