

1 | ENGROSSED HOUSE
2 | BILL NO. 2732

By: Rousselot and Luttrell of
the House

3 | and

4 | Garrison of the Senate

5 |
6 |
7 | An Act relating to crimes and punishments; making
8 | certain acts unlawful; providing penalties; defining
9 | terms; amending 21 O.S. 2001, Section 1192.1, which
10 | relates to the spread of infectious diseases;
11 | expanding scope of certain prohibited act; providing
12 | penalty; defining term; providing for codification;
13 | and providing an effective date.

14 | BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

15 | SECTION 1. NEW LAW A new section of law to be codified
16 | in the Oklahoma Statutes as Section 1192.2 of Title 21, unless there
17 | is created a duplication in numbering, reads as follows:

18 | A. It shall be unlawful for any person afflicted with a
19 | sexually transmitted disease to knowingly expose or communicate any
20 | of such sexually transmitted disease to a child. Any person who
21 | violates the provisions of this subsection shall, upon conviction,
22 | be guilty of a felony punishable by imprisonment in the custody of
23 | the Department of Corrections not to exceed life.

24 | B. As used in this section:

1 1. "Child" means any person under sixteen (16) years of age;
2 and

3 2. "Sexually transmitted disease" includes, but is not limited
4 to, genital herpes, gonorrhoea, or syphilis.

5 SECTION 2. AMENDATORY 21 O.S. 2001, Section 1192.1, is
6 amended to read as follows:

7 Section 1192.1 A. It shall be unlawful for any person knowing
8 that he or she has Acquired Immune Deficiency Syndrome (AIDS) or is
9 a carrier of the human immunodeficiency virus (HIV) and with intent
10 to infect another, to engage in conduct reasonably likely to result
11 in the transfer of the person's own blood, bodily fluids containing
12 visible blood, semen, or vaginal secretions into the bloodstream of
13 another, or through the skin or other membranes of another person,
14 except during in utero transmission of blood or bodily fluids, and:

15 1. The other person did not consent to the transfer of blood,
16 bodily fluids containing blood, semen, or vaginal secretions; or

17 2. The other person consented to the transfer but at the time
18 of giving consent had not been informed by the person that the
19 person transferring such blood or fluids had AIDS or was a carrier
20 of HIV.

21 B. Any person convicted of violating the provisions of this
22 section shall be guilty of a felony, punishable by imprisonment in
23 the custody of the Department of Corrections for not more than five
24 (5) years.

