

FLOOR AMENDMENT

HOUSE OF REPRESENTATIVES

State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB2732 _____
 _____ Of the printed Bill
 Page _____ Section _____ Lines _____
 _____ Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Amendment submitted by: Wade Rousselot _____

Adopted: _____

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 52nd Legislature (2010)

3 FLOOR SUBSTITUTE
4 FOR

5 HOUSE BILL NO. 2732

By: Rousselot of the House

and

Garrison of the Senate

7
8
9 FLOOR SUBSTITUTE

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

17 BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

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

21 A. It shall be unlawful for any person afflicted with a
22 sexually transmitted disease to knowingly expose or communicate any
23 of such sexually transmitted disease to a child. Any person who
24 violates the provisions of this subsection shall, upon conviction,

1 be guilty of a felony punishable by imprisonment in the custody of
2 the Department of Corrections not to exceed life.

3 B. As used in this section:

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

6 2. "Sexually transmitted disease" includes, but is not limited
7 to, genital herpes, gonorrhea, or syphilis.

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

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

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

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

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

5 C. It shall be unlawful for any person knowing that the person
6 has Acquired Immune Deficiency Syndrome (AIDS) or is a carrier of
7 the human immunodeficiency virus (HIV) and with intent to infect a
8 child, to engage in conduct reasonably likely to result in the
9 transfer of the person's own blood, bodily fluids containing visible
10 blood, semen, or vaginal secretions into the bloodstream of a child,
11 or through the skin or other membranes of a child, except during in
12 utero transmission of blood or bodily fluids. Any person who
13 violates the provisions of this subsection shall, upon conviction,
14 be guilty of a felony punishable by imprisonment in the custody of
15 the Department of Corrections not to exceed life. As used in this
16 subsection, "child" shall mean any person under sixteen (16) years
17 of age.

18 SECTION 3. This act shall become effective November 1, 2010.

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20 52-2-10080 GRS 02/24/10
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