

1 VIRGINIA ACTS OF ASSEMBLY — CHAPTER

2 *An Act to amend the Code of Virginia by adding a section numbered 18.2-67.4:1, relating to infected*
3 *sexual battery; penalty.*

4
5 Approved

[H 141]

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That the Code of Virginia is amended by adding a section numbered 18.2-67.4:1 as follows:**

8 *§ 18.2-67.4:1. Infected sexual battery; penalty.*

9 *Any person who, knowing he is infected with HIV, Syphilis, or Hepatitis B, has sexual intercourse,*
10 *cunnilingus, fellatio, anallingus or anal intercourse with the intent to transmit the infection to another*
11 *person shall be guilty of a Class 6 felony.*

12 *"HIV" means the human immunodeficiency virus or any other related virus that causes acquired*
13 *immunodeficiency syndrome (AIDS).*

14 *Nothing in this section shall prevent the prosecution of any other crime against persons under*
15 *Chapter 4 (§ 18.2-30 et seq.) of this title. Any person charged with a violation of this section alleging*
16 *he is infected with HIV shall be subject to the testing provisions of § 18.2-62.*

17 **2. That the provisions of this act may result in a net increase in periods of imprisonment in state**
18 **correctional facilities. Pursuant to § 30-19.1:4, the estimated amount of the necessary appropriation**
19 **is \$0 in FY 2010.**

ENROLLED

HB141ER