

House Bill 711

By: Representative Morris of the 120th

A BILL TO BE ENTITLED
AN ACT

1 To amend Code Section 16-5-60 of the Official Code of Georgia Annotated, relating to
2 reckless conduct causing harm to or endangering the bodily safety of another, so as to
3 prohibit assault with body fluids, saliva, or feces by a person who is infected with HIV or
4 hepatitis against a peace officer or correctional officer; to prescribe penalties for violations;
5 to provide for related matters; to repeal conflicting laws; and for other purposes.

6 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

7 **SECTION 1.**

8 Code Section 16-5-60 of the Official Code of Georgia Annotated, relating to reckless conduct
9 causing harm to or endangering the bodily safety of another, is amended by adding at its end
10 a new subsection (d) to read as follows:

11 "(d) A person who is an HIV infected person or hepatitis infected person and who, after
12 obtaining knowledge of being infected with HIV or hepatitis, commits an assault using his
13 or her body fluids (blood, semen, or vaginal secretions), saliva, urine, or feces upon:

14 (1) A peace officer while the peace officer is engaged in the performance of his or her
15 official duties or on account of the peace officer's performance of his or her official
16 duties; or

17 (2) A correctional officer while the correctional officer is engaged in the performance
18 of his or her official duties or on account of the correctional officer's performance of his
19 or her official duties

20 is guilty of a felony and, upon conviction thereof, shall be punished by imprisonment for
21 not less than five nor more than 20 years."

22 **SECTION 2.**

23 All laws and parts of laws in conflict with this Act are repealed.