

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1989

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HOUSE BILL 966

Short Title: Assaulting Prisoners Tested.

(Public)

Sponsors: Representative Privette.

Referred to: Judiciary.

March 30, 1989

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT ANY PRISONER WHO INJURES OR MAKES PHYSICAL CONTACT WITH AN EMPLOYEE OF THE DEPARTMENT OF CORRECTION IN A MANNER WHICH PRESENTS A POSSIBLE THREAT OF TRANSMISSION OF THE AIDS VIRUS SHALL BE TESTED FOR THE AIDS VIRUS AND THE EMPLOYEE NOTIFIED OF THE RESULTS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 148 of the General Statutes is amended by adding a new section to read:

**"§ 148-19.1. AIDS testing for inmates assaulting Department of Correction employees.**

Any prisoner in the custody of the Department of Correction who injures or makes physical contact with an employee of the Department of Correction in a manner which presents a possible threat of the transmission of the Acquired Immune Deficiency Syndrome (AIDS) virus shall be tested for the AIDS virus infection. The testing shall be performed without cost to the victim under the supervision of the Department of Human Resources pursuant to the provisions of G.S. 148-10 and G.S. 130A-148. The Department of Human Resources shall notify the victim of the test results within 30 days of the completion of the testing pursuant to G.S. 130A-148(g), and shall also provide the results to the prisoner tested. All test results are subject to the confidentiality provisions of G.S. 130A-143."

Sec. 2. This act shall become effective October 1, 1989, and shall apply to acts occurring on or after that date.