

ARKANSAS SENATE

93rd General Assembly - Regular Session, 2021

Amendment Form

Subtitle of Senate Bill No. 308

REQUIRING THE STATE TO OFFER A VICTIM OF SEXUAL ASSAULT THE CHOICE TO REQUIRE THE PERSON ACCUSED OF COMMITTING A SEXUAL ASSAULT ON THE VICTIM TO TAKE AN HIV TEST.

Amendment No. 2 to Senate Bill 308

Amend Senate Bill No. 308 as engrossed S3/1/21 (version: 03/01/2021 09:07:37 AM):

Page 2, delete lines 8 through 14, and substitute the following:

"(B)(i)(a) Subject to constitutional limitations, the victim of an offense listed under subdivision (b)(1)(A) of this section may request that the person arrested and charged with the offense be tested for the presence of human immunodeficiency virus (HIV) or an antibody to human immunodeficiency virus (HIV), whether or not he or she is in custody, and the results of the tests provided to the victim.

(b) Upon the victim's request under subdivision (b)(1)(B)(i)(a) of this section, the court shall require that the person be tested within forty-eight (48) hours of the information's or indictment's being presented to the person if the court finds that there is a reasonable cause to believe that the person committed the offense and the charge against the person has an element of forcible compulsion or the threat of forcible compulsion.

(ii) Subsequent tests for the presence of human immunodeficiency virus (HIV) or an antibody to human immunodeficiency virus (HIV) shall be required as medically appropriate with results of the subsequent tests also provided to the victim as soon as practicable."



The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator K. Hammer

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Secretary