

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Representative McCoy**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO PROVIDE THAT ALL PERSONS COMMITTED TO THE
9 CUSTODY OF THE DEPARTMENT OF CORRECTION SHALL BE TESTED
10 FOR THE PRESENCE OF HUMAN IMMUNODEFICIENCY VIRUS ANTIGENS
11 OR ANTIBODIES, THE CAUSATIVE AGENTS OF ACQUIRED
12 IMMUNODEFICIENCY SYNDROME (AIDS); AND FOR OTHER PURPOSES."

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14 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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16 SECTION 1. Any person committed to the Department of Correction shall,
17 upon being delivered into the custody of the Department, be tested for Human
18 Immunodeficiency Virus antigens or antibodies (HIV-1), the causative agents of
19 Acquired Immunodeficiency Syndrome (AIDS).

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21 SECTION 2. All provisions of this act of a general and permanent nature
22 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
23 Revision Commission shall incorporate the same in the Code.

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25 SECTION 3. If any provision of this act or the application thereof to
26 any person or circumstance is held invalid, such invalidity shall not affect
27 other provisions or applications of the act which can be given effect without
28 the invalid provision or application, and to this end the provisions of this
29 act are declared to be severable.

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31 SECTION 4. All laws and parts of laws in conflict with this act are
32 hereby repealed.

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34 SECTION 5. EMERGENCY. It is hereby found and determined by the General
35 Assembly that it is essential that physicians treating inmates in the

1 Department of Correction facilities know whether such inmates are infected
2 with the AIDS virus in order that the physicians can properly attend to the
3 health needs of such inmates; that the purpose of this act is to require
4 testing of the inmates to determine the presence of HIV antibodies or antigens
5 and should be given effect immediately. Therefore, an emergency is hereby
6 declared to exist and this act being necessary for the preservation of the
7 public peace, health and safety shall be in full force and effect from and
8 after its passage and approval.

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