

State of Arkansas  
89th General Assembly  
Regular Session, 2013

# A Bill

HOUSE BILL 1521

By: Representative Hammer

## For An Act To Be Entitled

AN ACT TO ALLOW A VICTIM OF CERTAIN SEXUAL CRIMINAL  
OFFENSES TO REQUIRE TESTING OF A DEFENDANT FOR  
SEXUALLY TRANSMITTED DISEASES; AND FOR OTHER  
PURPOSES.

## Subtitle

TO ALLOW A VICTIM OF CERTAIN SEXUAL  
CRIMINAL OFFENSES TO REQUIRE TESTING OF A  
DEFENDANT FOR SEXUALLY TRANSMITTED  
DISEASES.

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

SECTION 1. Arkansas Code Title 12, Chapter 12, Subchapter 1, is  
amended to add a new section to read as follows:

12-12-108. Mandatory testing for sexually transmitted diseases.

(a) A victim of an offense involving sexual activity where the sexual  
activity was forced, was committed under threat of violence, or was otherwise  
compelled against the wishes of the victim may require a defendant who has  
been charged with that offense to be tested for a sexually transmitted  
disease, including human immunodeficiency virus (HIV), no later than forty-  
eight (48) hours after the date a criminal information is filed.

(b) The results of any test required under this section shall be  
released to the victim, a parent or guardian of the victim, if applicable,  
and the defendant as soon as practicable.

(c)(1) The court may order subsequent testing for a sexually  
transmitted disease, including the human immunodeficiency virus (HIV), as



1 medically appropriate, upon the request of the victim or the state.

2 (2) The results of a subsequent test under this section shall be  
3 released to the victim, a parent or guardian of the victim, if applicable,  
4 and the defendant as soon as practicable.