

SENATE No. 588

By Mr. Tisei, a petition (accompanied by bill, Senate, No. 588) of Richard R. Tisei and Brian M. Cresta for legislation relative to crime victims exposure to the AIDS virus. Health Care.

The Commonwealth of Massachusetts

In the Year Two Thousand and One.

AN ACT RELATIVE TO CRIME VICTIMS EXPOSED TO THE AIDS VIRUS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 Chapter 265 of the General Laws is hereby amended by adding
2 the following new section:—
3 Section 45. Whoever has been convicted of rape or any other
4 criminal offense described in this chapter or elsewhere in the
5 General Laws which results in the reasonable possibility of the
6 victim's having contracted the AIDS virus in any form, shall be
7 required to be tested for the presence of the HTLV-III antibody or
8 antigen, within thirty days of his original conviction, and at such
9 other times as may be necessary to determine any risk to the
10 victim of contracting the AIDS virus. If in the opinion of the
11 victim's physician the reasonable possibility of the victim's
12 having contracted the AIDS virus exists, said test shall be
13 required. The results of the test, or tests, required under this
14 section shall not be disclosed to any person other than the victim
15 of the crime.

