

[765.] 855. HIV TESTING OF OFFENDERS.

- (a) (1) In this section the following words have the meanings indicated.
- (2) "Agency" means any of the following:
- (i) The Department of State Police;
 - (ii) The Baltimore City Police Department;
 - (iii) The police department, bureau, or force of any county;
 - (iv) The police department, bureau, or force of any incorporated city or town;
 - (v) The office of the Sheriff of any county;
 - (vi) The office of the State's Attorney of any county;
 - (vii) The office of the Attorney General;
 - (viii) The office of the State Prosecutor;
 - (ix) The Department of Juvenile Justice; or
 - (x) The police department, bureau, or force of any bicounty agency or the University of Maryland.
- (3) "Body fluids" has the meaning stated in § 18-338.1 of the Health - General Article.
- (4) "Charged" means the filing of an indictment, information, or petition alleging a delinquent act.
- (5) "Convicted" means:
- (i) In receipt of a verdict or finding of guilt in a criminal proceeding;
 - (ii) Found to have committed a delinquent act in a juvenile proceeding conducted in accordance with [Subtitle 8, Title 3 of the Courts and Judicial Proceedings Article] TITLE 3, SUBTITLE 8 OF THE COURTS ARTICLE; or
 - (iii) Having accepted a plea of guilt or nolo contendere.
- (6) "Department" means the Department of Health and Mental Hygiene.
- (7) "Exposure" means, as between a victim and a person charged:
- (i) Percutaneous contact with blood or body fluids;
 - (ii) Mucocutaneous contact with blood or body fluids;
 - (iii) Open wound, including dermatitis, exudative lesions, or chapped skin, contact with blood or body fluids for a prolonged period; or
 - (iv) Intact skin contact with large amounts of blood or body fluids for a prolonged period.