

Defined term: "Delinquent act" § 11-101

(F) VICTIM.

(1) "VICTIM" MEANS THE VICTIM OF A PROHIBITED EXPOSURE.

(2) "VICTIM" INCLUDES:

(I) A LAW ENFORCEMENT OFFICER WHO IS EXPOSED TO HIV WHILE ACTING IN THE PERFORMANCE OF DUTY; AND

(II) A PAID OR VOLUNTEER FIREFIGHTER, AN EMERGENCY MEDICAL TECHNICIAN, OR RESCUE SQUAD MEMBER WHO IS EXPOSED TO HIV WHILE ACTING IN THE PERFORMANCE OF DUTY.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 855(a)(11)(i) and (ii)4 and 5.

In paragraph (2)(i) of this subsection, the reference to a law enforcement officer who is exposed "to HIV" is added for clarity.

Also in paragraph (2)(i) of this subsection, the former reference to "official" is deleted as included in the reference to "duty".

Defined terms: "HIV" § 11-107

"Prohibited exposure" § 11-107

(G) VICTIM'S REPRESENTATIVE.

"VICTIM'S REPRESENTATIVE" MEANS:

(1) THE PARENT OF A VICTIM WHO IS A MINOR;

(2) THE LEGAL GUARDIAN OF A VICTIM; OR

(3) THE PERSON AUTHORIZED TO GIVE CONSENT FOR THE VICTIM UNDER § 5-605 OF THE HEALTH - GENERAL ARTICLE.

REVISOR'S NOTE: This subsection is new language derived without substantive change from former Art. 27, § 855(a)(11)(ii)1 through 3.

In this subsection and in subsection (f) of this section, the former defined term "victim" is revised as two defined terms — "victim" and "victim's representative". This bifurcation allows independent reference to be made to persons with an actual involvement in a prohibited exposure — *i.e.*, the victim, including certain law enforcement and fire fighting personnel — without invoking certain persons with only a legal relationship with a victim — *i.e.*, the parent of a victim who is a minor, the legal guardian of a victim, or the person authorized to give consent. Thus, for references in the former law to "victim" in which only actual victims were obviously intended, reference to persons with only a legal relationship with a victim is not made in this revision. See § 11-115(a) — which refers to "the victim, the victim's sexual partner, or the victim's family". In all other instances,