

references both to actual victims and persons with a legal relationship to a victim are apparently intended; thus, both defined terms, "victim" and "victim's representative" are used.

In item (3) of this subsection, the former reference to "substituted" consent for the victim is deleted as implied in the word "consent".

Defined terms: "Person" § 1-101

"Victim" § 11-107

11-108. ELEMENTS OF CONVICTION.

FOR THE PURPOSES OF PART II OF THIS SUBTITLE, A PERSON IS CONVICTED WHEN IN A CRIMINAL PROCEEDING THE PERSON:

(1) IS FOUND GUILTY; OR

(2) ENTERS A PLEA OF GUILTY OR NOLO CONTENDERE AND THE PLEA IS ACCEPTED BY THE COURT.

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

It is revised as a general provision rather than as part of a definition section for clarity.

In item (1) of this section, the former reference to a "receipt of a verdict" is deleted as included in the reference to "found guilty".

In item (2) of this section, the phrase "by the court" is added for clarity.

Defined terms: "Nolo contendere" § 1-101

"Person" § 1-101

11-109. ELEMENTS OF EXPOSURE.

(A) "BODY FLUIDS" DEFINED.

IN THIS SECTION, "BODY FLUIDS" HAS THE MEANING STATED IN § 18-338.1 OF THE HEALTH - GENERAL ARTICLE.

(B) OCCURRENCES OF EXPOSURE.

EXPOSURE TO HIV BETWEEN A VICTIM AND A PERSON CHARGED WITH A PROHIBITED EXPOSURE OCCURS:

(1) BY PERCUTANEOUS OR MUCOCUTANEOUS CONTACT WITH BLOOD OR BODY FLUIDS;

(2) BY CONTACT FOR A PROLONGED PERIOD WITH BLOOD OR BODY FLUIDS OF AN OPEN WOUND, INCLUDING DERMATITIS, EXUDATIVE LESIONS, AND CHAPPED SKIN;

(3) BY INTACT SKIN CONTACT FOR A PROLONGED PERIOD WITH LARGE AMOUNTS OF BLOOD OR BODY FLUIDS; OR