

(4) UNDER ANY OTHER CONDITION OR CIRCUMSTANCE UNDER WHICH A PERSON MAY BE EXPOSED TO HIV.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 855(a)(3) and (7).

In subsection (a) of this section, the phrase "in this section" is added to reflect that the term "body fluids" appears nowhere else in Part II of this subtitle.

In the introductory language of subsection (b) of this section, the phrase relating to a victim and a person charged "with a prohibited exposure" is added for clarity.

Defined terms: "Charged" § 11-107

"HIV" § 11-107

"Person" § 1-101

"Prohibited exposure" § 11-107

"Victim" § 11-107

#### 11-110. HIV TESTING OF CHARGED PERSON.

IN ADDITION TO TESTING ALLOWED UNDER § 11-112 OF THIS SUBTITLE, THE COURT MAY ORDER A PERSON CHARGED WITH A PROHIBITED EXPOSURE TO GIVE A BLOOD SAMPLE TO BE TESTED FOR THE PRESENCE OF HIV IF:

(1) THE PERSON IS CHARGED WITH A PROHIBITED EXPOSURE WITHIN 1 YEAR AFTER THE PROHIBITED EXPOSURE OCCURRED;

(2) A VICTIM OR VICTIM'S REPRESENTATIVE REQUESTS THE TESTING IN WRITING TO THE STATE'S ATTORNEY IN THE COUNTY WHERE THE PROHIBITED EXPOSURE OCCURRED; AND

(3) THE COURT FINDS PROBABLE CAUSE TO BELIEVE THAT A PROHIBITED EXPOSURE OCCURRED.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 855(c)(1).

In the introductory language to this section and in item (1) of this section, the defined term "person" is substituted for the former reference to an "individual" to conform to the terminology of this article.

In item (2) of this section, the reference to "county" is substituted for the former reference to "jurisdiction" for clarity.

Defined terms: "Charged" § 11-107

"County" § 1-101

"HIV" § 11-107

"Person" § 1-101

"Prohibited exposure" § 11-107

"Victim" § 11-107

"Victim's representative" § 11-107