

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2007

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HOUSE BILL 1898
Committee Substitute Favorable 7/25/07
Committee Substitute #2 Favorable 7/27/07

Short Title: Prerelease HIV Testing of All DOC Inmates.

(Public)

Sponsors:

Referred to:

May 1, 2007

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE THAT ALL INDIVIDUALS RELEASED FROM THE
3 CUSTODY OF THE DEPARTMENT OF CORRECTION BE TESTED FOR HIV
4 INFECTION.

5 The General Assembly of North Carolina enacts:

6 SECTION 1. Article 2 of Chapter 148 of the General Statutes is amended by
7 adding the following new section to read:

8 "**§ 148-19.2. HIV infection test required for all individuals released from the**
9 **custody of the Department of Correction.**

10 Prior to release from the custody of the Department of Correction, all inmates shall
11 be tested for HIV infection. Results of the test shall be reported to the inmate. If the test
12 results are positive, the individual shall be referred to public health officials for
13 counseling. Testing and reporting under this section are subject to the requirements of
14 Article 6 of Chapter 130A of the General Statutes."

15 SECTION 2. There is appropriated from the General Fund to the
16 Department of Correction the sum of two hundred thousand dollars (\$200,000) for the
17 2007-2008 fiscal year and the sum of two hundred thousand dollars (\$200,000) for the
18 2008-2009 fiscal year to implement the requirements of G.S. 148-19.2. Not later than
19 December 1, 2008, and annually thereafter, the Secretary shall report to the House
20 Appropriations Committee on Justice and Public Safety, the Senate Appropriations
21 Committee on Justice and Public Safety, and the Fiscal Research Division on the
22 number of inmates referred for testing pursuant to G.S. 148-19.2.

23 SECTION 3. Section 1 of this act becomes effective January 1, 2008. The
24 remainder of this act becomes effective July 1, 2007.