

Court-ordered Infectious Disease Testing; HB 2224

HB 2224 modifies the law governing court-ordered testing for infectious diseases.

Continuing law requires that at the time of an appearance before a magistrate judge, the magistrate shall inform any person arrested and charged with a crime in which it appears, from the nature of the charge, the transmission of body fluids from one person to another may have been involved, of the availability of infectious disease tests, and shall notify alleged victims that infectious disease tests and counseling are available.

The bill requires a court to order a person who has been arrested and charged to submit to infectious disease tests if:

- The victim of the crime or the county or district attorney requests the court to order such tests; or
- Such person stated they have an infectious disease or were infected with an infectious disease, or used words of like effect to the arresting law enforcement officer.

The bill also specifies convicted, rather than adjudicated, persons must pay restitution to the Department of Health and Environment (KDHE) for such costs.

The bill amends the definition of “infectious disease” for this purpose to include any diseases designated by KDHE as “infectious or contagious in their nature” through rules and regulations adopted pursuant to continuing law.