



## Fiscal Estimate Narratives

DHFS 9/20/2005

|   |           |                     |        |               |          |
|---|-----------|---------------------|--------|---------------|----------|
| LRB Number  | 05-2346/1 | Introduction Number | AB-652 | Estimate Type | Original |
| <b>Subject</b>  |           |                     |        |               |          |
| Intentionally exposing person to sexually transmitted disease |           |                     |        |               |          |

### Assumptions Used in Arriving at Fiscal Estimate

AB 652 prohibits individuals who know that they are infected with HIV, AIDS, or a sexually transmitted disease from intentionally having sexual intercourse which results in the transmission to another person of the infection, if the other person is unaware of the infection. Individuals who are convicted of violating this prohibition are required to register as sex offenders and may be fined or imprisoned.

This bill will not have a direct fiscal effect on the Department. However, departmental personnel may be required to provide court-ordered copies of patient records or to testify as expert witnesses if a case is brought to court. This cost to the Department is expected to be minimal.

It is possible, however, that this legislation will result indirectly in an increase in the HIV/AIDS caseload. Scientific studies indicate that, when individuals who are tested for HIV/AIDS discover that they have the infection, they are less likely to engage in behaviors that transmit it. This legislation may discourage people from getting tested for HIV/AIDS because they recognize that if they are not informed about their condition, they cannot be penalized under this bill. In addition, infected persons are less likely to provide partner names to public health officials for fear of criminal penalties. As a result, there may be more transmission of HIV/AIDS, with a subsequent increase in the caseloads of the Department's HIV/AIDS services programs. It is not possible to estimate the extent of such an increase.

### Long-Range Fiscal Implications