

**LEGISLATIVE FISCAL OFFICE**  
**Fiscal Note**



Fiscal Note On: **HB 808** HLS 26RS 952

Bill Text Version: **ORIGINAL**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

<b>Date:</b> April 6, 2026	10:28 AM	<b>Author:</b> MCMAHEN
<b>Dept./Agy.:</b> Corrections and Sheriffs		<b>Analyst:</b> Daniel Druilhet
<b>Subject:</b> Intentional Exposure to HIV		

CRIME/SEX OFFENSES OR NO IMPACT See Note  
Provides relative to the intentional exposure to HIV

Current law provides for the crime of intentional exposure to HIV and its associated penalties; provides the definition of sex offense. Proposed law changes the name of the crime from intentional exposure to HIV to intentional transmission of HIV; prohibits a person with specific intent from transmitting or attempting to transmit HIV to another person without the knowing and lawful consent of the victim when the offender knew that he was positive for HIV at the time of the transmission and the contact posed a substantial likelihood of transmission, if the offender has reasonable grounds to believe that the victim is a first responder acting in the performance of his official duties; provides as an affirmative defense to prosecution that the defendant, at the time of the alleged transmission, was receiving medical care for HIV and maintained a viral load that effectively eliminated the risk of HIV transmission through sexual contact; provides that the defendant bears the burden of proof for asserting any affirmative defense; provides that it shall not be construed to criminalize conduct that poses no medically recognized risk of HIV transmission; provides that intentional transmission of HIV is designated as a sex offense only when the offense involves sexual contact.

EXPENDITURES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

  

REVENUES	2026-27	2027-28	2028-29	2029-30	2030-31	5 -YEAR TOTAL
State Gen. Fd.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Agy. Self-Gen.	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Ded./Other	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Federal Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
Local Funds	\$0	\$0	\$0	\$0	\$0	<b>\$0</b>
<b>Annual Total</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**EXPENDITURE EXPLANATION**

There is no anticipated direct material effect on governmental expenditures as a result of this measure. The proposed law renames an existing criminal offense, clarifies the underlying circumstances under which an offender can be charged for the offense, and lists affirmative defenses for those charged with the offense.

**REVENUE EXPLANATION**

There is no anticipated direct material effect on governmental revenues as a result of this measure.

Senate Dual Referral Rules  
 13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}  
 13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

House  
 6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}  
 6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

  
**Patrice Thomas**  
**Deputy Fiscal Officer**