
HOUSE COMMITTEE AMENDMENTS

2026 Regular Session

Amendments proposed by House Committee on Administration of Criminal Justice to
Original House Bill No. 808 by Representative McMahan

1 AMENDMENT NO. 1

2 On page 1, line 2, delete "and R.S. 15:541(24)(a)" and insert "and to enact Code of Criminal
3 Procedure Article 726.1"

4 AMENDMENT NO. 2

5 On page 1, line 3, after "HIV;" delete the remainder of the line and at the beginning of line
6 4, delete "exposure to HIV;"

7 AMENDMENT NO. 3

8 On page 1, line 5, after "defenses;" delete the remainder of the line and at the beginning of
9 line 6, delete "of intentional transmission of HIV constitutes a sex offense;" and insert "to
10 provide relative to notice for medical conditions;"

11 AMENDMENT NO. 4

12 On page 1, delete lines 10 through 16 in their entirety and insert the following:

13 "§43.5. Intentional exposure to HIV
14 A. No person shall intentionally expose another person to the human
15 immunodeficiency virus (HIV) ~~through~~ without the knowing and lawful consent of
16 the victim when the offender knew that he was positive for HIV at the time of the
17 exposure and the contact posed a substantial likelihood of transmission as follows:"

18 AMENDMENT NO. 5

19 On page 3, line 23, after "transmission," and before "was" insert "disclosed to the victim that
20 the defendant"

21 AMENDMENT NO. 6

22 On page 4, delete lines 3 through 29 in their entirety and delete page 5 in its entirety and
23 insert the following:

24 "Section 2. Code of Criminal Procedure Article 726.1 is hereby enacted to read as
25 follows:

26 Art. 726.1. Notice of medical condition
27 A. If a defendant intends to introduce documents or testimony relating to a
28 medical condition or related treatment on the basis of an affirmative defense, he shall
29 notify the district attorney in writing of such intention and file a copy of the notice
30 with the clerk not later than ten days prior to trial or in a reasonable time as the court
31 may permit. The court may, for cause shown, allow late filing of the notice or grant
32 additional time to the parties to prepare for trial or issue any other orders as may be
33 appropriate. Upon motion of either party, the court shall order that such records be
34 filed under seal. Nothing in this Article shall be construed to relieve a defendant of
35 any obligation imposed pursuant to Article 725.
36 B. If the defendant fails to provide notice as required by Paragraph A of this
37 Article, the court may exclude the introduction of any documents or testimony of any

1 witness offered by the defendant on the issue of medical condition or related
2 treatment."