

LEGISLATIVE FISCAL OFFICE
Fiscal Note



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

Bill Text Version: **ENROLLED**

Opp. Chamb. Action:

Proposed Amd.:

Sub. Bill For.:

Date: May 14, 2026	10:05 AM	Author: MCMAHEN
Dept./Agy.: Corrections and Sheriffs		Analyst: Daniel Druilhet
Subject: Intentional Exposure to HIV		

CRIME/SEX OFFENSES

EN NO IMPACT See Note

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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 prohibits a person from intentionally exposing another person to HIV without the knowing and lawful consent of the victim when the offender knew that he was HIV positive at the time of the exposure and the contact posed a substantial likelihood of transmission through sexual contact, sharing of hypodermic needles or syringes, or through any means or contact that poses a substantial likelihood of transmission, or 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, disclosed to the victim that the defendant was receiving medical care for HIV and maintained a viral load that effectively eliminated the risk of 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 it involves sexual contact; provides for procedural rules relative to the introduction of documents or testimony on the issue of medical condition or related treatment.

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

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

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, lists affirmative defenses for those charged with the offense, and provides for procedural rules relative to the introduction of documents or testimony on the issue of medical condition or related treatment.

REVENUE EXPLANATION

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

Senate

Dual Referral Rules

House

13.5.1 >= \$100,000 Annual Fiscal Cost {S & H}

6.8(F)(1) >= \$100,000 SGF Fiscal Cost {H & S}

13.5.2 >= \$500,000 Annual Tax or Fee Change {S & H}

6.8(G) >= \$500,000 Tax or Fee Increase or a Net Fee Decrease {S}

Patrice Thomas
Deputy Fiscal Officer