

105TH CONGRESS
1ST SESSION

H. R. 2070

To amend title 18, United States Code, to provide for the mandatory testing for serious transmissible diseases of incarcerated persons whose bodily fluids come into contact with corrections personnel and notice to those personnel of the results of the tests, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 1997

Mr. SOLOMON (for himself and Mr. CONDIT) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To amend title 18, United States Code, to provide for the mandatory testing for serious transmissible diseases of incarcerated persons whose bodily fluids come into contact with corrections personnel and notice to those personnel of the results of the tests, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Correction Officers
5 Health and Safety Act of 1997”.

1 **SEC. 2. TESTING FOR TRANSMISSIBLE DISEASE OF CER-**
2 **TAIN INCARCERATED PERSONS.**

3 (a) IN GENERAL.—Chapter 301 of title 18, United
4 States Code, is amended by adding at the end the follow-
5 ing:

6 **“§ 4014. Testing for transmissible disease**

7 “(a) If the bodily fluids, of a person who is incarcer-
8 ated in a Federal correctional facility, that are capable of
9 causing a serious transmissible disease come into contact
10 with any officer or employee of the United States or any
11 other person not so incarcerated, the Attorney General
12 shall, under such rules as the Attorney General makes to
13 carry out this section, cause the incarcerated person to
14 be tested for those diseases and promptly communicate in
15 writing the results of the tests to the person with whom
16 such fluids came into contact. If any such tests indicate
17 that such a disease might have been transmitted, the At-
18 torney General shall make appropriate referrals for coun-
19 seling and health care and support services.

20 “(b) As used in this section, the term ‘serious trans-
21 missible disease’ means the human immunodeficiency
22 virus (HIV) or any of its derivatives, hepatitis and any
23 of its derivatives, tuberculosis, and any other serious ill-
24 ness which an exposed person might reasonably expect to
25 contract from the contact.”.

1 (b) CLERICAL AMENDMENT.—The table of sections
2 at the beginning of chapter 301 of title 18, United States
3 Code, is amended by adding at the end the following:

“4014. Testing for transmissible disease.”.

4 (c) Not later than one year after the date of the en-
5 actment of this section, the Attorney General, in consulta-
6 tion with the Corrections and Criminal Justice Coalition,
7 shall make voluntary national guidelines for testing for se-
8 rious transmissible diseases of incarcerated persons whose
9 bodily fluids come into contact with corrections personnel
10 or other persons and for the provision of notice to persons
11 with whom those bodily fluids came into contact of the
12 results of such tests.

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