

FIRST REGULAR SESSION

HOUSE BILL NO. 510

96TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVES WYATT (Sponsor), CONWAY (14), ENTLICHER,
KELLEY (126), FRANKLIN, BROWN (85) AND LARGENT (Co-sponsors).

1330L.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To repeal section 566.135, RSMo, and to enact in lieu thereof one new section relating to testing of certain defendants for sexually transmitted diseases.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 566.135, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 566.135, to read as follows:

566.135. 1. **This section shall be known as "Summers' Law".**

2 **2.** Pursuant to a motion filed by the prosecuting attorney or circuit attorney with notice
3 given to the defense attorney and for good cause shown, in any criminal case in which a
4 defendant has been charged by the prosecuting attorney's office or circuit attorney's office with
5 any offense under this chapter or pursuant to section 575.150, 567.020, 565.050, 565.060,
6 565.070, 565.072, 565.073, 565.074, 565.075, 565.081, 565.082, 565.083, 568.045, 568.050, or
7 568.060, or paragraph (a), (b), or (c), of subdivision (2) of subsection 1 of section 191.677, the
8 court [may] **shall order, within one week of the date the prosecuting attorney or circuit**
9 **attorney filed the motion**, that the defendant be conveyed to a state-, city-, or county-operated
10 HIV clinic for testing for HIV, hepatitis B, hepatitis C, syphilis, gonorrhea, and chlamydia. The
11 results of the defendant's HIV, hepatitis B, hepatitis C, syphilis, gonorrhea, and chlamydia tests
12 shall be released to the victim and his or her parent or legal guardian if the victim is a minor.
13 The results of the defendant's HIV, hepatitis B, hepatitis C, syphilis, gonorrhea, and chlamydia
14 tests shall also be released to the prosecuting attorney or circuit attorney and the defendant's
15 attorney. The state's motion to obtain said testing, the court's order of the same, and the test
16 results shall be sealed in the court file.

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 [2.] **3.** As used in this section, "HIV" means the human immunodeficiency virus that
18 causes acquired immunodeficiency syndrome.

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