

**CHAPTER NO. 17**

**SENATE BILL NO. 1731**

**By Curtis S. Person, Jr., Crowe, Black, Burks**

**Substituted for: House Bill No. 186**

**By Coleman**

AN ACT to amend Tennessee Code Annotated, Title 68, Chapter 10, Part 1, relative to the exposure of certain Tennessee bureau of investigation personnel to hepatitis B or the HIV virus.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 68-10-116, is amended by designating the existing language of subsection (a) as (a)(1) and by adding the following new subsection (a)(2):

(2) If, during the course of receiving, analyzing or transporting the blood or other body fluid of any person who has been arrested and charged with a criminal offense, an employee of any of the Tennessee bureau of investigation's crime laboratories is exposed to such blood or body fluid in any manner that presents a significant risk of transmission of the hepatitis B virus or the HIV (AIDS) virus, then the exposed employee has the right to request that such arrested person's blood be tested for the presence of the hepatitis B virus and the HIV (AIDS) virus.

SECTION 2. Tennessee Code Annotated, Section 68-10-116, is further amended in subsection (b) by inserting the language “, or employee of the crime laboratory of the Tennessee Bureau of Investigation,” after the language “law enforcement officer” wherever it appears.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: March 17, 2005

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

  
JIMMY NAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

APPROVED this 29<sup>th</sup> day of March 2005

  
PHIL BREDESEN, GOVERNOR