

SHB 1551 - H AMD TO H AMD (H-4187.1/20) **1033**

By Representative Caldier

NOT ADOPTED 02/12/2020

1 On page 15, line 27 of the striking amendment, after "~~70.24~~
2 ~~REW,~~)" insert ", an infectious disease with high morbidity or high
3 mortality,"

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5 On page 15, line 30 of the striking amendment, after "(2)"
6 insert the following: "A court may not find an intent to inflict
7 great bodily harm by administering, exposing, or transmitting an
8 infectious disease with high morbidity or high mortality to another
9 if there is no substantial risk of transmission or if the person
10 took practical means to prevent transmission."

11 (3) For purposes of this section, the following terms have the
12 following meanings:

13 (a) "Infectious disease with high morbidity or high mortality"
14 means a disease that is an incurable infection requiring regular
15 treatment to prevent death or a curable infection with a high
16 mortality rate despite treatment and involves an exposure mechanism
17 capable of causing infection.

18 (b) "Practical means to prevent transmission" means good faith
19 employment of an activity, behavior, method, or device that is
20 scientifically demonstrated to measurably reduce the risk of
21 transmitting the disease, including but not limited to, the use of a
22 condom, barrier protection, or other prophylactic device, or good
23 faith participation in a treatment regimen prescribed by a health
24 care provider or public health professional.

25 (4)"

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EFFECT: Modifies the crime of assault in the first degree to include exposure to or transmission of an infectious disease with high morbidity or high mortality. Provides that a court may not find intent to inflict great bodily harm for purposes of the crime if there is no substantial risk of transmission or if the person took practical means to prevent transmission. Defines "infectious disease with high morbidity or high mortality" and "practical means to prevent transmission."

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