

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

---

300 SW TENTH AVENUE ■ SUITE 24-E ■ TOPEKA, KS 66612 ■ (785) 296-2321

---

**MEMORANDUM**

To: Chairman Barker and Members of the Committee on Federal and State Affairs  
From: Office of Revisor of Statutes  
Date: 2/11/2021  
RE: House Bill 2224

HB 2224 would amend K.S.A. 65-6001 and 65-6009 concerning arrested and convicted persons and infectious diseases. Under current law, when an individual appears before a magistrate, if it appears from the nature of the charge that body fluids may have been transmitted between persons, the victim of the crime or the county or district attorney may request the court to order infectious disease tests of the alleged offender. If any counseling or testing is provided, the court is required to order the adjudicated person to pay restitution to the department of health and environment for the costs. The results of any tests are disclosed to the law enforcement officer making the arrest, the person arrested, and the victim. Lastly, infectious disease is defined as AIDS and hepatitis B.

Under HB 2224, infectious disease would be expanded from just AIDS or hepatitis B to mean any diseases designated by the secretary of the Kansas Department of Health and Environment through rules and regulations as infectious or contagious. Additionally, the bill would expand who would have to pay restitution for the costs of testing to include persons that were arrested and tested because it appeared that they may have transmitted fluids to other persons.