

**LEGISLATIVE SERVICES AGENCY  
OFFICE OF FISCAL AND MANAGEMENT ANALYSIS  
FISCAL IMPACT STATEMENT**

**LS 7121**  
**BILL NUMBER: SB 280**

**NOTE PREPARED:** Jan 7, 2026  
**BILL AMENDED:**

**SUBJECT:** Crimes Relating to Bodily Fluids and Bodily Waste.

**FIRST AUTHOR:** Sen. Glick  
**FIRST SPONSOR:**

**BILL STATUS:** As Introduced

**FUNDS AFFECTED:** X GENERAL  
                              X DEDICATED  
                              FEDERAL

**IMPACT:** State & Local

**Summary of Legislation:** The bill removes certain sentencing enhancements for battery and malicious mischief that relate to human immunodeficiency virus (HIV). It amends the sentencing enhancement for battery against a public safety officer that relates to HIV.

**Effective Date:** July 1, 2026.

**Explanation of State Expenditures:** *Summary:* The bill potentially reduces the cost to the state by removing and amending these felony enhancements. However, any cost reduction is likely small. There are an average of only four individuals committed to the DOC each year with their highest convicted charge being battery with an enhancement related to infected bodily fluids or waste (none under malicious mischief).

**Additional Information:** The bill removes the Level 6 felony enhancement for battery with bodily fluid or waste that is infected with HIV. It also amends the Level 5 felony enhancement when committed against a public safety officer, to require that the person knew the bodily fluid was infected with HIV; that the bodily fluid was blood; and that, based on expert medical testimony, the manner in which the blood was placed on the public safety official created a substantial risk of infection.

**Explanation of State Revenues:** *Penalty Provision:* This bill potentially reduces the revenue to the Common School Fund if a lower is assessed. However, the revenue reduction is likely to be small. The maximum fine for a Class A misdemeanor is \$5,000, while the maximum fine for all felony levels is \$10,000.

**Additional Information:** There are only about 9 *average* convictions each year for battery having a felony enhancements for infected bodily fluid or waste (as the highest convicted charge). Enhancements currently apply for hepatitis and tuberculosis, as well.

**Explanation of Local Expenditures:** *Penalty Provision:* Without the enhancement, battery with HIV-infected bodily fluid or waste would be a Class A misdemeanor or a Level 6 felony when committed against a public safety official. A Class A misdemeanor is punishable by up to one year in jail.

**Explanation of Local Revenues:**

**State Agencies Affected:** Department of Correction.

**Local Agencies Affected:** Trial courts, local law enforcement agencies.

**Information Sources:**

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