

**635.110 Human immunodeficiency virus testing for juveniles accused of certain sexual offenses -- Results -- Counseling when test positive.**

- (1) A juvenile session of a District Court shall comply with the provisions of KRS 510.320 when a child is accused of commission of a public offense as described therein.
- (2) A juvenile session of a District Court shall order a child who is adjudicated a public offender to submit to a human immunodeficiency virus test pursuant to KRS 510.320 if the offense is one described therein.
- (3)
  - (a) The result of any human immunodeficiency virus test conducted pursuant to this section shall not be a public record for purposes of KRS Chapter 61.
  - (b) The result of any human immunodeficiency virus test conducted pursuant to this section shall only be made available by the Department of Juvenile Justice to the victim, the parent or guardian of a victim who is a minor or is an individual with an intellectual disability or mentally incapacitated, the child adjudicated as a public offender and his parents or guardian, the court issuing the order for testing, and as otherwise directed pursuant to KRS Chapter 214.
- (4) If the human immunodeficiency virus test indicates the presence of human immunodeficiency virus infection, the Department of Juvenile Justice shall provide counseling to the victim and the juvenile offender regarding human immunodeficiency virus disease and referral for appropriate health care and support services.

**Effective:** July 12, 2012

**History:** Amended 2012 Ky. Acts ch. 146, sec. 142, effective July 12, 2012. -- Amended 1996 Ky. Acts ch. 358, sec. 48, effective July 1, 1997. -- Created 1992 Ky. Acts ch. 389, sec. 2, effective July 1, 1992.

**Legislative Research Commission Note** (7/15/96). Under 1996 Ky. Acts ch. 358, sec. 67(3), the amendment of this statute by Section 48 of that Act becomes effective July 1, 1997, in that it deals with functions of the Department of Juvenile Justice.