



AMERICAN SAMOA GOVERNMENT
PAGO PAGO, AMERICAN SAMOA 96799

In reply refer to:

LEGISLATURE OF AMERICAN SAMOA

CERTIFICATION

House Chamber
January 19, 1994

I certify that House Bill No. 23-64 passed third reading on this date in the House of Representatives during its Third Regular Session of the Twenty-third Legislature of American Samoa.

A handwritten signature in black ink, appearing to read 'Wally F. Utu'.

Wally F. Utu
CHIEF CLERK, HOUSE OF REPRESENTATIVES

Senate Chamber
April 29, 1994

I certify that House Bill No. 23-64 passed third reading on this date in the Senate during its Third Regular Session of the Twenty-third Legislature of American Samoa.

A handwritten signature in black ink, appearing to read 'Leo'o V. Ma'o'.

Leo'o V. Ma'o
SECRETARY OF THE SENATE

THE TWENTY-THIRD LEGISLATURE OF AMERICAN SAMOA

Third Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa on Monday, the tenth day of January one thousand nine hundred and ninety four

AN ACT ESTABLISHING MANDATORY HIV TESTING FOR PERSONS CONVICTED OF OR ADJUDICATED AS A JUVENILE OFFENDER FOR CERTAIN SEXUAL OFFENSES; CREATING A SECTION 46.3619 ASCA.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

Section 1. There is created a section 46.3619 which reads:

"46.3619 Mandatory HIV testing for persons convicted of sexual offenses, or adjudicated as a juvenile offender.

(a) Where a person is convicted as an adult or adjudicated as a juvenile offender under 46.3604, 46.3610, 46.3611, 46.3612, 46.3615, 46.3616 or 46.3618, the court shall order the following:

(1) That as a condition of sentence, the defendant shall, within thirty days, undergo testing performed by the American Samoa Government department of health to determine whether the defendant has the acquired immune deficiency syndrome (AIDS), or its precursor, human immunodeficiency virus (HIV) in his or her body.

(b) That the results of such tests shall be submitted to the court and made available only to the victim and to the defendant.

(c) That upon the victim's request, the office of the attorney general shall provide the victim with referrals to the department of health and department of human resources for counseling, health care, medical testing, and support services relating to the acquired immune deficiency syndrome (AIDS), or its precursor, human immunodeficiency virus (HIV)."

Handwritten signature and date: "10th day of May, 1994" written vertically in red ink.

Signature of Letuli Toloa, President of the Senate.

Signature of Savali Talavou S. Ale, Speaker of the House.

NOFOAIGA LAUSEFULU-TOLU FONO FAITULAFONO O AMERIKA SAMOA

Fono Tele Lona Tolu

**Nofoia ma usuia i Fagatogo, Tutuila, Amerika Samoa
Aso Gafua, aso sefulu o Ianuai
tasi le afe iva selau iva sefulufa**

**O SE TULAFONO E FA'ATUINA FA'AMALOSI AI SUEGA HIV MO TAGATA UA
NOFOSALA PE FA'AMASINOINA O SE SOLITULAFONO TALAVOU MO NISI
SOLITULAFONO FAIGA AIGA; FA'AVAEINA SE MAGA 46.3619 TTAS.**

IA FA'ATULAFONOINA E LE FONO FAITULAFONO O AMERIKA SAMOA:

Maga 1. Ua fa'avaeina se maga 46.3619 e faitauina:

"46.3619 Su'ega fa'amalosi HIV mo tagata ua nofosala i solitulafono faiga aiga, pe fa'amasinoina o se tagata solitulafono talavou.

(a) Afai o se tagata ua nofosala o se tagata matua pe fa'amasinoina o se tagata solitulafono talavou i lalo o le 46.3604, 46.3611, 46.3612, 46.3615, 46.3616 po'o le 46.3618, ia fa'atonuina e le fa'amasinoga e pei ona fa'aalia i lalo:

(1) O le tulaga o le sala, tagata molia ia, i le tolusefulu aso, faia su'ega fa'ataunu'u e le matagaluega o le soifua o le Malo Amerika Samoa e iloilo ai pe maua le tagata molia i le tulaga ua le lava le pui puiga o le toto (Aids) po'o lona tupuga, siama ua le gafatia tagata (HIV) i lona tino.

(e) Afai e maua fa'aiuga o ia su'ega ona auina lea i le fa'amasinoga ma ia fa'aavanoa na'o le tagata ua afaina ai ma le tagata molia.

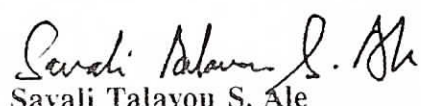
(i) Afai e talosaga le tagata afaina, o le ofisa o le loia sili ia tu'uina atu i le tagata afaina ini fa'asinoga i le matagaluega o le soifua ma le matagaluega o tagata faigaluega mo faufautuaga, tausiga o le soifua, su'ega o nifo, ma galuega e lagolago ai e uiga i le siama o le (Aids), po'o lona tupuaga, (HIV)."

Hereby Approved this day of 19

Governor of American Samoa



Letuli Toloa
PERESETENE, MAOTA MAUALUGA



Savali Talavou S. Ale
FOFOGA FETALAI, MAOTA O SUI