A BILL ENTITLED

AN ACT concerning Crimes – Transfer of Human Immunodeficiency Virus While Committing Sexual Crime

FOR the purpose of prohibiting an individual from violating the prohibition on knowingly transferring or attempting to transfer the human immunodeficiency virus to another individual while also violating a certain provision of law related to sexual crimes or abuse; establishing a penalty for a violation of this Act; providing that a sentence imposed under this Act is separate from and consecutive to a sentence for a certain crime; and generally relating to the transfer of human immunodeficiency virus.

BY repealing and reenacting, with amendments,

Article – Health – General
Section 18–601.1
Annotated Code of Maryland
(2019 Replacement Volume)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:

Article – Health – General

18–601.1.

(a) (1) An individual who has the human immunodeficiency virus may not knowingly transfer or attempt to transfer the human immunodeficiency virus to another individual.

(2) An individual may not violate paragraph (1) of this subsection while violating § 3–303, § 3–304, § 3–307, or § 3–602 of the

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.
[Brackets] indicate matter deleted from existing law.
Criminal Law Article.

(b) (1) A person who violates [the provisions] SUBSECTION (A)(1) of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding $2,500 or imprisonment not exceeding 3 years or both.

(2) (i) A person who violates SUBSECTION (A)(2) of this section is guilty of a misdemeanor and on conviction is subject to imprisonment not exceeding 5 years.

(ii) A sentence imposed under this paragraph shall be separate from and consecutive to a sentence for a crime giving rise to the conviction under SUBSECTION (A)(2) of this section.

SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2020.