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Favorable Testimony on Bill SB1165: **Public Health - Prohibition on Transfer of Human Immunodeficiency Virus - Repeal**

March 26, 2024

Chair Senator William C. Smith, Jr., Vice-Chair Jeff Walstreicher, and esteemed members of the Judicial Proceedings committee,

I write to you today as a transmasculine nonbinary adult invested in the well-being of humans with HIV. I am also a facilitator of a trans-led peer support group and an advocate for the LGBTQ+ community in Montgomery County. **My testimony on this bill is favorable, and I urge you to move this bill promptly through committee with a favorable vote.**

SB1165 would repeal draconian law regarding the HIV epidemic in our state. The bill is a remnant of the early days of the national HIV/AIDS pandemic - which primarily effected gay men.

We know today that the science of HIV transmission and harm-reduction is much different in 2024. Due to advances and innovations in science, HIV and become undetectable (with no viral load). Undetectable means untransmissible. It is not possible to transmit HIV as easily as it was in the early days of the HIV/AIDS crisis.

Pre-exposure PrEP (pre-exposure prophylaxis) can be prescribed to people who are HIV negative and may be more likely to contract HIV. It is administered as a shot, given once monthly and eventually every other month. PEP (post-exposure prophylaxis) can also be used in addition to other HIV precautions to after someone is exposed to HIV, and can be taken within 72 hours after exposure.

However, the only way to know if you have HIV is through regular testing. HIV criminalization law like the one Maryland has on it's books today, reduce testing frequency out of fear of becoming criminalized through accidental transmission (and not intentional transmission).\

We also know that HIV criminalization bills are disproportionately leveraged against black and brown people with HIV - the population with the fastest growing rate of transmission in our state. This bill is unfair for all folks with HIV, but especially black and brown folks.

Finally, it is well know that in intentional cases of transmission of HIV, many states and localities will prosecute under reckless endangerment even today. Reckless endangerment carries harsher penalties. We do not need the draconian law regarding HIV transmission to prevent legal charges of intentional transmission.

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SB1165 would repeal this legislation, making it easier for all folks to get regular testing so that they know their HIV status. It would also remove the duplicative nature the law we already have in place to give harsh penalties to people who intentionally transmit HIV to their sexual partners.

I ask the Judicial Proceedings committee for a swift favorable vote out of committee. We need you to take swift action to make sure this bill passes on the Senate floor this year. **Now is the time to pass SB1165: Public Health - Prohibition on Transfer of Human Immunodeficiency Virus - Repeal.**

I look forward to your favorable vote.

Sincerely,



Ezra Towne
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