



House Bill 485
HIV Modernization in Maryland
Public Health - Prohibition on Transfer of Human Immunodeficiency Virus - Repeal
February 6, 2024
Support

Dear Chair Clippinger, Vice Chair Bartlett, and the members of the House Judiciary Committee,

The Trans Rights Advocacy Coalition (TRAC) is submitting this testimony in strong support of HB485 which would repeal Maryland's outdated and stigmatizing law regarding HIV by repealing Health-Gen § 18-601.1 from the MD Code.

TRAC is a Maryland-based and entirely trans-led coalition committed to ensuring that all transgender and gender expansive Marylanders can live safe and affirming lives. Our membership includes healthcare providers, attorneys, academics, organizers and other community members who all stand in strong support of HB485.

Under current law, it is a misdemeanor punishable by up to three years in prison and a \$2,500 fine if an individual "knowingly transfer[s] or attempt[s] to transfer" HIV to another person, regardless of actual transmission.

This is outdated, stigmatizing, and disproportionately targets Black Marylanders. The current language was passed in 1989, during the height of HIV hysteria, and has not been updated since. Many early assumptions about HIV transmission have since been proven false, making this part of the MD Code incredibly harmful to Marylanders living with HIV now.

Intentional and threatened transmission of all other infectious diseases, including HIV, is already criminalized elsewhere in state law. This language only increases the stigmatization and criminalization of those living with HIV, as it is the only disease singled out for enhanced criminal punishment. In Maryland, Black people comprise 82% of all HIV-related prosecutions.

Repealing this language will bring Maryland up to date with current medical knowledge and reduce dangerous stigmatization and criminalization among Marylanders living with HIV, especially Black Marylanders.

For all these reasons and many more, the Trans Rights Advocacy Coalition is in strong support of HB485. We respectfully urge the committee to return a favorable report on the bill.

Sincerely,
The Trans Rights Advocacy Coalition