



To: Members of The House Judiciary Committee  
From: Doyle Niemann, Chair, Legislative Committee, Criminal Law and Practice Section,  
Maryland State Bar Association  
Date: February 9, 2024  
Subject: **HB485 - Transfer of Human Immunodeficiency Virus - Repeal**  
Position: **SUPPORT**

---

The Legislative Committee of the Criminal Law & Practice Section of the Maryland State Bar Association (MSBA) **Supports HB585 – Repeal of Transfer of HIV.**

This bill repeals provisions in current law that criminalize the transfer of the Human Immunodeficiency Virus (HIV).

The statute that this bill repeals criminalized the knowing transfer of HIV. It was adopted early in the HIV epidemic and reflected the fear and bias that prevailed at that time. To the degree that it targets a specific disease, it is no longer needed or appropriate.

While HIV remains a serious disease, we now know much more about the disease and have a greater array of treatments available. As written, the bill broadly defines the crime and opens the door to prosecution of individuals who should not be prosecuted.

For the reasons stated, we **Support HB485 - Transfer of Human Immunodeficiency Virus – Repeal.**

If you have questions about the position of the Criminal Law and Practice Section’s Legislative Committee, please feel free to address them to me at 240-606-1298 or at [doyleniemann@gmail.com](mailto:doyleniemann@gmail.com).

Should you have other questions, please contact The MSBA’s Legislative Office at (410) 387-5606..