

February 2, 2024

Dear Maryland House of Delegates,

SAGE, the country's largest and oldest organization dedicated to improving the lives of LGBTQ+ older people, urgently urges you to pass H.B. 485, a critical legislative initiative aimed at repealing Maryland's outdated HIV criminalization law. Founded in 1978 and headquartered in New York City, SAGE is a national organization that offers supportive services and consumer resources to LGBTQ+ older people, including older people with HIV.

H.B. 485 represents a crucial step towards updating Maryland's laws in alignment with current scientific and medical knowledge surrounding HIV transmission. The existing law, enacted in 1989 during the height of the HIV epidemic, fails to reflect the scientific advancements made in HIV care, treatment, and prevention. By repealing § 18–601.1 from the Maryland Code, this legislation addresses several pressing issues:

- 1) **Brings MD Law Up to Date:** The current law must be updated to reflect current scientific and medical knowledge surrounding HIV transmission, which has significantly evolved since its enactment in 1989.
- 2) **Reduces HIV Stigmatization:** HIV is the only disease specifically singled out for enhanced criminal punishment by statute, contributing to the stigmatization of individuals living with HIV. H.B. 485 seeks to rectify this discriminatory practice.
- 3) **Encourages HIV Testing and Treatment:** The existing law hinders public health goals by discouraging testing and treatment. Knowledge of one's HIV status is vital for prevention and care. Removing harmful language that disincentivizes knowing one's status is a crucial step.
- 4) **Reduces Racial Injustice:** The current law disproportionately targets Black individuals within the criminal justice system, perpetuating racial inequalities. H.B. 485 aims to address this injustice by removing a law that disproportionately affects the Black community.
- 5) **Steps Toward Ending the HIV/AIDS Epidemic:** By repealing § 18–601.1 from the Maryland Code, H.B. 485 contributes to the broader goal of ending the HIV/AIDS epidemic. The outdated law poses barriers to effective prevention, treatment, and care.

Additionally, we are particularly concerned about how this outdated law could disproportionately harm older people with HIV. Given that 50% of all people with HIV in the United States are 50 and older, and projections estimate that this percentage will increase to 70% by 2030, the existing law creates unnecessary obstacles for this community in accessing appropriate care and support. The outdated language may subject older individuals with HIV to criminal charges for behaviors that do not transmit HIV, hindering their ability to navigate the complexities of living with HIV in their later years.

We want to highlight that 72% of the public believes that current HIV laws should be modernized and updated to consider current scientific knowledge about transmission. Additionally, 87% support updating laws to incentivize testing and treatment, while 82% believe that individuals living with HIV should receive the health and treatment they need, rather than facing discriminatory criminal charges.

Your support for H.B. 485 will be instrumental in creating a more just and informed legal landscape in Maryland. We appreciate your attention to this critical matter and urge you to stand with us in advocating for the repeal of Maryland's outdated HIV criminalization law.

Thank you for your time and consideration.

Sincerely,

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