
By: **Delegate Burns**

Introduced and read first time: February 16, 2006

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **Crimes - Intentional HIV Transfer Causing Death - Penalties**

3 FOR the purpose of prohibiting a person from intentionally transferring the human
4 immunodeficiency virus to another individual; establishing penalties for
5 intentionally transferring the human immunodeficiency virus if the person to
6 whom the virus was transferred dies from complications of the virus; and
7 generally relating to the intentional transfer of the human immunodeficiency
8 virus.

9 BY repealing and reenacting, without amendments,
10 Article - Health - General
11 Section 18-601.1
12 Annotated Code of Maryland
13 (2005 Replacement Volume and 2005 Supplement)

14 BY adding to
15 Article - Health - General
16 Section 18-601.2
17 Annotated Code of Maryland
18 (2005 Replacement Volume and 2005 Supplement)

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

21 **Article - Health - General**

22 18-601.1.

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

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

1 18-601.2.

2 (A) A PERSON WHO HAS THE HUMAN IMMUNODEFICIENCY VIRUS MAY NOT
3 INTENTIONALLY TRANSFER THE HUMAN IMMUNODEFICIENCY VIRUS TO ANOTHER
4 INDIVIDUAL.

5 (B) IF THE INDIVIDUAL TO WHOM THE HUMAN IMMUNODEFICIENCY VIRUS IS
6 TRANSFERRED, AS DESCRIBED IN SUBSECTION (A) OF THIS SECTION, DIES FROM
7 COMPLICATIONS OF THE VIRUS, A PERSON WHO VIOLATES THE PROVISIONS OF
8 SUBSECTION (A) OF THIS SECTION IS GUILTY OF A FELONY AND ON CONVICTION IS
9 SUBJECT TO A FINE NOT EXCEEDING \$10,000 OR IMPRISONMENT NOT EXCEEDING 25
10 YEARS OR BOTH.

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
12 October 1, 2006.