

# HOUSE BILL 1497

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By: **Delegates Corderman, Arikan, Hartman, Hornberger, Krebs, Long, Malone, Mautz, McComas, Parrott, Reilly, Saab, and Shoemaker**  
Introduced and read first time: February 7, 2020  
Assigned to: Judiciary

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## A BILL ENTITLED

1 AN ACT concerning

2 **Crimes – Transfer of Human Immunodeficiency Virus While Committing Sexual**  
3 **Crime**

4 FOR the purpose of prohibiting an individual from violating the prohibition on knowingly  
5 transferring or attempting to transfer the human immunodeficiency virus to another  
6 individual while also violating a certain provision of law related to sexual crimes or  
7 abuse; establishing a penalty for a violation of this Act; providing that a sentence  
8 imposed under this Act is separate from and consecutive to a sentence for a certain  
9 crime; and generally relating to the transfer of human immunodeficiency virus.

10 BY repealing and reenacting, with amendments,  
11 Article – Health – General  
12 Section 18–601.1  
13 Annotated Code of Maryland  
14 (2019 Replacement Volume)

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

17 **Article – Health – General**

18 18–601.1.

19 (a) **(1)** An individual who has the human immunodeficiency virus may not  
20 knowingly transfer or attempt to transfer the human immunodeficiency virus to another  
21 individual.

22 **(2) AN INDIVIDUAL MAY NOT VIOLATE PARAGRAPH (1) OF THIS**  
23 **SUBSECTION WHILE VIOLATING § 3–303, § 3–304, § 3–307, OR § 3–602 OF THE**

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 **CRIMINAL LAW ARTICLE.**

2 (b) (1) A person who violates [the provisions] **SUBSECTION (A)(1)** of this  
3 section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$2,500  
4 or imprisonment not exceeding 3 years or both.

5 (2) (I) **A PERSON WHO VIOLATES SUBSECTION (A)(2) OF THIS**  
6 **SECTION IS GUILTY OF A MISDEMEANOR AND ON CONVICTION IS SUBJECT TO**  
7 **IMPRISONMENT NOT EXCEEDING 5 YEARS.**

8 (II) **A SENTENCE IMPOSED UNDER THIS PARAGRAPH SHALL BE**  
9 **SEPARATE FROM AND CONSECUTIVE TO A SENTENCE FOR A CRIME GIVING RISE TO**  
10 **THE CONVICTION UNDER SUBSECTION (A)(2) OF THIS SECTION.**

11 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
12 October 1, 2020.