

SENATE BILL 356

J1
SB 1165/24 – JPR

5lr0629
CF HB 39

By: ~~Senator Smith~~ **Senators Smith, Waldstreicher, and Love**

Introduced and read first time: January 16, 2025

Assigned to: Judicial Proceedings

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 3, 2025

CHAPTER _____

1 AN ACT concerning

2 **Public Health – Repeal of Prohibition on Transfer of Human Immunodeficiency**
3 **Virus**
4 **(Carlton R. Smith Act)**

5 FOR the purpose of repealing the prohibition on an individual from knowingly transferring
6 or attempting to transfer the human immunodeficiency virus to another individual;
7 and generally relating to transfer of human immunodeficiency virus.

8 BY repealing

9 Article – Health – General

10 Section 18–601.1

11 Annotated Code of Maryland

12 (2023 Replacement Volume and 2024 Supplement)

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

15 **Article – Health – General**

16 [18–601.1.

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

19 (b) A person who violates the provisions of this section is guilty of a misdemeanor

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 and on conviction is subject to a fine not exceeding \$2,500 or imprisonment not exceeding
2 3 years or both.]

3 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
4 October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.