

SENATE BILL 356

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SB 1165/24 – JPR

5lr0629
CF HB 39

By: **Senator Smith**

Introduced and read first time: January 16, 2025

Assigned to: Judicial Proceedings

A BILL ENTITLED

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
20 and on conviction is subject to a fine not exceeding \$2,500 or imprisonment not exceeding
21 3 years or both.]

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

