# Bill Introduced to Reform Outdated HIV Crime Laws

Current HIV laws in California are “based on the fear and ignorance of a bygone era.”

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A bill introduced in the California Legislature aims to update HIV-related laws, many of which were passed in the ’80s and ’90s and are not consistent with the current science of HIV transmission and treatment.

The bill was introduced by Senator Scott Wiener (D–San Francisco) and Assemblyman Todd Gloria (D-San Diego). Fellow Assemblyman David Chiu (D–San Francisco) co-authored the bill, called SB 239.

Among other provisions, the bill would make intentionally transmitting any infectious or communicable disease, including HIV, a misdemeanor instead of a felony. As STAT News points out, the bill doesn’t state that such activities shouldn’t be illegal but that HIV/AIDS shouldn’t be singled out.

The bill is cosponsored by APLA Health, the ACLU of California, Black AIDS Institute, Equality California, Lambda Legal, and Positive Women’s Network–USA, according to a press release by APLA Health, which serves the HIV and LGBT communities. The cosponsors are part of a coalition called Californians for HIV Criminalization Reform (CHCR). Numerous additional members of CHCR support the legislation.

“It’s time for California to reevaluate the way it thinks about HIV and to reduce the stigma associated with the disease,” Assemblyman Gloria said in the press release. “Current state law related to those living with HIV is unfair because it is based on the fear and ignorance of a bygone era. With this legislation, California takes an important step to update our laws to reflect the medical advances which no longer make a positive diagnosis equal to a death sentence.”

“These laws are outdated and only serve to fuel the spread of HIV in our communities. They also disproportionately impact people of color and women,” added APLA Health CEO Craig E. Thompson. “Our understanding of HIV has changed significantly since the 1980s and our laws need to change to reflect that. Updating these laws will reduce stigma and prevent people from going to prison simply because they are living with a chronic disease. We appreciate the leadership of Senator Wiener and Assemblyman Gloria on this critical social justice issue.”

“These laws are discriminatory, not based in science, and detrimental to our HIV prevention goals,” Wiener said. “They need to be repealed.”

To read more POZ coverage about HIV criminalization, click here.

This article has been updated.

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