Bill to Repeal HIV Criminalization Laws Moves Forward

California senators just passed a bill that would make intentionally infecting someone with HIV a misdemeanor instead of a felony.

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California senators voted this week to send an HIV decriminalization bill to the Assembly, reports The Associated Press. Known as SB 239, the bill would make intentionally transmitting HIV a misdemeanor instead of a felony, which would put HIV on the same level as other communicable diseases.

Currently, an HIV-positive person who has unprotected sex without disclosing to a partner can be convicted of a felony and be sentenced to years in jail.

The bill was introduced earlier this year in an effort to update HIV crime laws in the state, many of which were passed in the ’80s and ’90s and aren’t aligned with current scientific knowledge and medical treatment.

Senator Scott Wiener (D–San Francisco) and Assemblyman Todd Gloria (D–San Diego) introduced the bill; fellow Assemblyman David Chiu (D–San Francisco) coauthored it. And, according to a press release reported on earlier by POZ, the bill is cosponsored by APLA Health, the ACLU of California, Black AIDS Institute, Equality California, Lambda Legal and Positive Women’s Network–USA.

In related news: A POZ Poll from April 2017 asks, “Do you think that intentionally transmitting HIV should be a misdemeanor instead of a felony?” So far, 42 percent of respondents say it should be a misdemeanor and 58 percent say it should remain a felony. You can make your opinion known by voting here.

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