



Louisiana Upholds Its HIV Exposure Law

Other states have changed or repealed such laws.

September 22, 2025 By Verite News and KFF Health News

Louisiana is one of 30 states with criminal penalties related to exposing or transmitting HIV. Most of the laws were passed in the 1980s, during the emergence of the AIDS epidemic. Since then, several states have amended their laws to make them less punitive or repealed them outright, including Maryland and North Dakota this year.

But Louisiana's law remains among the harshest. The state is one of five that may require people to register as a sex offender if convicted, a label that can follow them for over a decade. And state lawmakers considered a bill to expand the law to apply to other sexually transmitted infections but failed to pass it before the session ended.

Meanwhile, people with HIV also face the threat that federal funding cuts will affect their access to treatment, along with prevention efforts, supportive services and outreach. Such strategies have proved to slow the HIV epidemic, unlike the laws' punitive approach.

Public health officials maintain that state laws criminalizing HIV exposure hurt efforts to end the HIV epidemic. Epidemiologists and other experts on AIDS agree that the enforcement of such laws is often shaped by fear, not science. For example, in many states that criminalize HIV exposure, people living with HIV can face heightened criminal penalties for actions that can't transmit the virus, such as spitting on someone. The laws further stigmatize and deter people from getting tested and treated, undermining the response to the epidemic, experts say.

At least 4,400 people in 14 states have been arrested under these laws, though data are limited and the actual number is likely higher, and the arrests aren't decreasing, according to analyses by UCLA's Williams Institute.

In Louisiana, a 2022 Williams Institute analysis found at least 147 allegations reported to law enforcement under the state's HIV law from 2011 to mid-2022. Black people made up nearly three quarters of the people convicted and placed on the sex offender registry. Most were Black men. At

the time of the analysis, Black people made up about two thirds of HIV diagnoses in the state.

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