AN ACT
RELATING TO CRIMINAL OFFENSES - CRIMINAL TRANSMISSION OF HIV

Introduced By: Representatives Nardolillo, and Ucci

Date Introduced: January 29, 2015

Referred To: House Judiciary

It is enacted by the General Assembly as follows:

SECTION 1. Title 11 of the General Laws entitled "CRIMINAL OFFENSES" is hereby amended by adding thereto the following chapter:

CHAPTER 69
CRIMINAL TRANSMISSION OF HIV

11-69-1. Exposure of another to HIV infection. -- (a) It is unlawful for a person who knows he or she is infected with the human immunodeficiency virus known as HIV to:

(1) Knowingly engage in sexual intercourse (vaginal, anal, or oral with another person without first informing that person of his/her HIV infection;

(2) Knowingly commit an act of prostitution with another person;

(3) Knowingly sell or donate blood, blood products, semen, tissue, organs, or other body fluids;

(4) Forcibly engage in sexual intercourse (vaginal, anal or oral) without the consent of the other person, including one's legal spouse; or

(5) Knowingly share with another person a hypodermic needle/syringe without first informing that person that the needle or syringe has been used by someone infected with HIV.

11-69-2. Penalties. -- (a) Any person who violates the provisions of this chapter shall, upon conviction, be sentenced to imprisonment for a term not to exceed fifteen (15) years, or shall be subject to a fine not to exceed five thousand dollars ($5,000), or both.

(b) Any person who violates the provisions of § 11-69-1(a)(4) relating to forcible sexual
intercourse while infected with HIV, may have their sentence enhanced by adding up to three (3)
additional years in prison for each violation of this chapter.

11-69-3. Severability. -- If any provision of this chapter is held by a court to be invalid, that invalidity shall not affect the remaining provisions of the chapter, and to this end the provisions of the chapter are declared severable.

SECTION 2. This act shall take effect upon passage.

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This act would create a criminal offense for knowingly transmitting HIV to another person.

This act would take effect upon passage.