

HOUSE BILL 39

J1
HB 485/24 – JUD

(PRE-FILED)

5lr0631
CF SB 356

By: **Delegates Fair, Bouchat, Feldmark, D. Jones, Kaufman, Lehman, Mireku-North, Pruski, Ruth, Stewart, ~~and Terrasa~~ Terrasa, Bartlett, Crutchfield, Cardin, Embry, Pasteur, Toles, Simmons, Phillips, Taylor, Simpson, Moon, Conaway, Williams, and Clippinger**

Requested: June 25, 2024

Introduced and read first time: January 8, 2025

Assigned to: Judiciary

Committee Report: Favorable with amendments

House action: Adopted

Read second time: February 18, 2025

CHAPTER _____

1 AN ACT concerning

2 **Public Health – Repeal of Prohibition on Transfer of Human Immunodeficiency**
3 **Virus – ~~Repeal~~**
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.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 (a) An individual who has the human immunodeficiency virus may not knowingly
2 transfer or attempt to transfer the human immunodeficiency virus to another individual.

3 (b) A person who violates the provisions of this section is guilty of a misdemeanor
4 and on conviction is subject to a fine not exceeding \$2,500 or imprisonment not exceeding
5 3 years or both.]

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

Approved:

Governor.

Speaker of the House of Delegates.

President of the Senate.