



movement advancement project ►

HIV Criminalization Laws

No updates required since March 20, 2020

MAP relied on the research conducted by the [Center for HIV Law and Policy](#) (CHLP) for this map and the statutes found below. For more information on any state's HIV-related laws or any other HIV-related policy matters, please consult CHLP's resources.

MAP categories and scoring system, based on research by Center for HIV Law and Policy

- (-1) HIV-criminalization law and HIV-specific sentencing enhancements or may require sex offender registration (or both)
- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- (-0.25) No HIV-criminalization law, but does have HIV-specific sentencing enhancements (additional penalties) for sex-related convictions
- (0) No HIV-specific criminal law or policy
- (0) No HIV-specific criminal law or policy, but does have general STI law (that does not enumerate HIV) that could be used to prosecute people living with HIV

Alabama

- (0) No HIV-specific criminal law or policy, but does have general STI law (that does not enumerate HIV) that could be used to prosecute people living with HIV
- See [ALA. CODE § 22-11A-21](#) or [CHLP's Alabama state page](#)

Alaska

- (-0.25) No HIV-criminalization law, but does have HIV-specific sentencing enhancements (additional penalties) for sex-related convictions
- See [AK STAT. § 12.55.155](#) or [CHLP's Alaska state page](#)

Arizona

- (0) No HIV-specific criminal law or policy, but does have general STI law (that does not enumerate HIV) that could be used to prosecute people living with HIV
- See [CHLP's Arizona state page](#)

Arkansas

- (-1) HIV-criminalization law and HIV-specific sentencing enhancements or **may require sex offender registration** (or both)
- See [ARK. CODE ANN. § 5-14-123](#) or [CHLP's Arkansas state page](#)



California

- (-0.25) No HIV-criminalization law, but does have HIV-specific sentencing enhancements (additional penalties) for sex-related convictions
- Formerly, state had HIV criminalization laws and HIV-specific sentencing enhancements. The HIV criminalization laws were repealed by [SB239](#) (2017, effective 1/1/18).
- See [CAL. HEALTH & SAFETY CODE § 120291](#) or [CHLP's California state page](#)

Colorado

- (-0.25) No HIV-criminalization law, but does have HIV-specific sentencing enhancements (additional penalties) for sex-related convictions
- Formerly, state had HIV criminalization law and HIV-specific sentencing enhancements. The HIV criminalization laws were repealed by [SB146](#) (2016).
- See [CO Rev Stat § 18-3-415.5](#) or [CHLP's Colorado state page](#)

Connecticut

- (0) No HIV-specific criminal law or policy
- See [CHLP's Connecticut state page](#)

Delaware

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [DEL. CODE ANN. tit. 16, § 2801](#) or [CHLP's Delaware state page](#)

District of Columbia

- (0) No HIV-specific criminal law or policy
- See [CHLP's District of Columbia page](#)

Florida

- (-1) HIV-criminalization law and **HIV-specific sentencing enhancements** or may require sex offender registration (or both)
- See [FLA. STAT. ANN. § 775.0877](#) or [CHLP's Florida state page](#)

Georgia

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [GA. CODE ANN. § 16-5-60\(c\)-\(d\)](#) or [CHLP's Georgia state page](#)

Hawaii

- (0) No HIV-specific criminal law or policy
- See [CHLP's Hawaii state page](#)



Idaho

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [IDAHO CODE ANN. § 39-608](#) or [CHLP's Idaho state page](#)

Illinois

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [720 ILL. COMP. STAT. § 5/12-5.01](#) or [CHLP's Illinois state page](#)

Indiana

- (-1) HIV-criminalization law and **HIV-specific sentencing enhancements** or may require sex offender registration (or both)
- See [IND. CODE § 35-42-2-1\(b\), \(e\), \(g\)](#) or [CHLP's Indiana state page](#)

Iowa

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [IOWA CODE § 709D.2](#) and [IOWA CODE § 709D.3](#) or [CHLP's Iowa state page](#)

Kansas

- (0) No HIV-specific criminal law or policy, but does have general STI law (that does not enumerate HIV) that could be used to prosecute people living with HIV
- See [KAN. STAT. ANN. § 21-5424](#) or [CHLP's Kansas state page](#)

Kentucky

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [KY. REV. STAT. ANN. § 311.990\(24b\)](#) or [CHLP's Kentucky state page](#)

Louisiana

- (-1) HIV-criminalization law and HIV-specific sentencing enhancements or **may require sex offender registration** (or both)
- See [LA. REV. STAT. ANN. § 14:43.5](#) or [CHLP's Louisiana state page](#)

Maine

- (0) No HIV-specific criminal law or policy
- See [CHLP's Maine state page](#)

Maryland

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [MD. CODE ANN., HEALTH-GEN. § 18-601.1](#) or [CHLP's Maryland state page](#)



Massachusetts

- (-0.25) No HIV-criminalization law, but does have HIV-specific sentencing enhancements (additional penalties) for sex-related convictions
- See [MASS. GEN. LAWS Ch 265](#) or [CHLP's Massachusetts state page](#)

Michigan

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [MICH. COMP. LAWS ANN. § 333.5210](#) or [CHLP's Michigan state page](#)

Minnesota

- (0) No HIV-specific criminal law or policy, but does have general STI law (that does not enumerate HIV) that could be used to prosecute people living with HIV
- See [MINN. STAT. § 609.2241](#) or [CHLP's Minnesota state page](#)

Mississippi

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [MISS. CODE ANN. § 97-27-14](#) or [CHLP's Mississippi state page](#)

Missouri

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [MO. REV. STAT. § 191.677](#) or [CHLP's Missouri state page](#)

Montana

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [MONT. CODE. ANN. § 50-18-112](#) or [CHLP's Montana state page](#)

Nebraska

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [NEB. REV. STAT. § 28-934](#) or [CHLP's Nebraska state page](#)

Nevada

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [NEV. REV. STAT. § 201.205](#) or [CHLP's Nevada state page](#)

New Hampshire

- (0) No HIV-specific criminal law or policy
- See [CHLP's New Hampshire state page](#)



New Jersey

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [N.J. STAT. ANN. § 2C: 34-5](#) or [CHLP's New Jersey state page](#)

New Mexico

- (0) No HIV-specific criminal law or policy
- See [CHLP's New Mexico state page](#)

New York

- (0) No HIV-specific criminal law or policy, but does have general STI law (that does not enumerate HIV) that could be used to prosecute people living with HIV
- See [NY PUB. HEALTH LAW § 2307](#) or [CHLP's New York state page](#)

North Carolina

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [10A N.C. ADMIN. CODE 41A.0202](#) or [CHLP's North Carolina state page](#)

North Dakota

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [N.D. CENT. CODE § 12.1-20-17](#) or [CHLP's North Dakota state page](#)

Ohio

- (-1) HIV-criminalization law and HIV-specific sentencing enhancements or **may require sex offender registration** (or both)
- See [OHIO REV. CODE ANN. § 2903.11](#) or [CHLP's Ohio state page](#)

Oklahoma

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [OKLA. STAT. tit. 21, § 1192.1](#) or [CHLP's Oklahoma state page](#)

Oregon

- (0) No HIV-specific criminal law or policy, but does have general STI law (that does not enumerate HIV) that could be used to prosecute people living with HIV
- See [CHLP's Oregon state page](#)

Pennsylvania

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [18 PA. CONS. STAT. ANN. § 2703](#) and [§ 2704](#) or [CHLP's Pennsylvania state page](#)



Rhode Island

- (0) No HIV-specific criminal law or policy, but does have general STI law (that does not enumerate HIV) that could be used to prosecute people living with HIV
- See [CHLP's Rhode Island state page](#)

South Carolina

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [S.C. Code Ann. § 44-29-145](#) or [CHLP's South Carolina state page](#)

South Dakota

- (-1) HIV-criminalization law and HIV-specific sentencing enhancements or **may require sex offender registration** (or both)
- See [S.D. CODIFIED LAWS § 22-18-31](#) or [CHLP's South Dakota state page](#)

Tennessee

- (-1) HIV-criminalization law and HIV-specific sentencing enhancements or may require sex offender registration (**or both**)
- See [TENN. CODE ANN. § 39-13-109](#) or [CHLP's Tennessee state page](#)

Texas

- (0) No HIV-specific criminal law or policy
- See [CHLP's Texas state page](#)

Utah

- (-1) HIV-criminalization law and **HIV-specific sentencing enhancements** or may require sex offender registration (or both)
- See [UTAH CODE ANN. § 76-10-1309](#) or [CHLP's Utah state page](#)

Vermont

- (0) No HIV-specific criminal law or policy, but does have general STI law (that does not enumerate HIV) that could be used to prosecute people living with HIV
- See [CHLP's Vermont state page](#)

Virginia

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [VA. CODE ANN. § 18.2-67.4:1](#) or [CHLP's Virginia state page](#)



Washington

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- Formerly, state had HIV-criminalization law and required sex offender registration. Sex offender registration repealed and other improvements added by [HB 1551](#) (2020).
- See [HB 1551](#) (2020), [WASH. REV. CODE § 9A.36.011](#), or [CHLP's Washington state page](#)

West Virginia

- (0) No HIV-specific criminal law or policy, but does have general STI law (that does not enumerate HIV) that could be used to prosecute people living with HIV
- See [W. VA. CODE ANN. § 16-4-20](#) or [CHLP's West Virginia state page](#)

Wisconsin

- (-0.25) No HIV-criminalization law, but does have HIV-specific sentencing enhancements (additional penalties) for sex-related convictions
- See [WIS. STAT. § 973.017](#) or [CHLP's Wisconsin state page](#)

Wyoming

- (0) No HIV-specific criminal law or policy
- See [CHLP's Wyoming state page](#)

U.S. Territories

American Samoa

- (0) No HIV-specific criminal law or policy
- See [CHLP's 2015 analysis of HIV criminalization laws in the U.S. territories](#) (p252)

Guam

- (-0.25) No HIV-criminalization law, but does have HIV-specific sentencing enhancements (additional penalties) for sex-related convictions
- See [CHLP's 2015 analysis of HIV criminalization laws in the U.S. territories](#) (p253-255)

Commonwealth of the Northern Mariana Islands

- (0) No HIV-specific criminal law or policy
- See [CHLP's 2015 analysis of HIV criminalization laws in the U.S. territories](#) (p256)

Puerto Rico

- (0) No HIV-specific criminal law or policy
- See [CHLP's 2015 analysis of HIV criminalization laws in the U.S. territories](#) (p257)

U.S. Virgin Islands

- (-0.5) HIV-criminalization law only (including general STI laws that enumerate HIV)
- See [CHLP's 2015 analysis of HIV criminalization laws in the U.S. territories](#) (p258-260)