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HIV Criminalization

No updates required since April 29, 2019

MAP relied on the research conducted by the [Center for HIV Law and Policy](#) for this map and the statutes found below.

Alabama

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [ALA. CODE § 22-11A-21](#) and [ALA. ADMIN. CODE r. 420-4-1-.03](#)

Alaska

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [ALASKA STAT. § 12.55.155](#)

Arizona

- State does not have HIV-specific law, but individuals with HIV have been prosecuted under state criminal law for a crime related to their HIV status

Arkansas

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [ARK. CODE ANN. § 5-14-123](#)

California

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [CAL. HEALTH & SAFETY CODE § 120291](#)

Colorado

- State does not have HIV-specific law, but individuals with HIV have been prosecuted under state criminal law for a crime related to their HIV status
- Formerly, state had HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV. Overturned by [S.B. 146 \(2016\)](#).

Connecticut

- State does not have HIV-specific law, but individuals with HIV have been prosecuted under state criminal law for a crime related to their HIV status



Delaware

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [DEL. CODE ANN. tit. 16, § 2801](#)

District of Columbia

- No known prosecutions or HIV-specific statutes

Florida

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [FLA. STAT. ANN. § 775.0877](#)

Georgia

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [GA. CODE ANN. § 16-5-60\(c\)-\(d\)](#)

Hawaii

- No known prosecutions or HIV-specific statutes

Idaho

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [IDAHO CODE ANN. § 39-608](#)

Illinois

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [720 ILL. COMP. STAT. § 5/12-5.01](#)

Indiana

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [IND. CODE § 35-42-2-1\(b\), \(e\), \(g\)](#)



Iowa

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [IOWA CODE § 709D.2](#) and [IOWA CODE § 709D.3](#)

Kansas

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [KAN. STAT. ANN. § 21-5424](#)

Kentucky

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [KY. REV. STAT. ANN. § 311.990\(24b\)](#)

Louisiana

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [LA. REV. STAT. ANN. § 14:43.5](#)

Maine

- No known prosecutions or HIV-specific statutes

Maryland

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [MD. CODE ANN., HEALTH-GEN. § 18-601.1](#)

Massachusetts

- State does not have HIV-specific law, but individuals with HIV have been prosecuted under state criminal law for a crime related to their HIV status

Michigan

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [MICH. COMP. LAWS ANN. § 333.5210](#)



Minnesota

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [MINN. STAT. § 609.2241](#)

Mississippi

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [MISS. CODE ANN. § 97-27-14](#)

Missouri

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [MO. REV. STAT. § 191.677](#)

Montana

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [MONT. CODE. ANN. § 50-18-112](#) and [MONT. CODE. ANN. § 50-18-101](#)

Nebraska

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [NEB. REV. STAT. § 28-934](#)

Nevada

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [NEV. REV. STAT. § 201.205](#)

New Hampshire

- State does not have HIV-specific law, but individuals with HIV have been prosecuted under state criminal law for a crime related to their HIV status



New Jersey

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [N.J. STAT. ANN. § 2C: 34-5](#)

New Mexico

- No known prosecutions or HIV-specific statutes

New York

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [NY PUB. HEALTH LAW § 2307](#)

North Carolina

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [10A N.C. ADMIN. CODE 41A.0202](#)

North Dakota

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [N.D. CENT. CODE § 12.1-20-17](#)

Ohio

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [OHIO REV. CODE ANN. § 2903.11](#)

Oklahoma

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [OKLA. STAT. tit. 21, § 1192.1](#)

Oregon

- State does not have HIV-specific law, but individuals with HIV have been prosecuted under state criminal law for a crime related to their HIV status



Pennsylvania

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [18 PA. CONS. STAT. ANN. § 2703](#) and [18 PA. CONS. STAT. ANN. § 2704](#)

Rhode Island

- No known prosecutions or HIV-specific statutes

South Carolina

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [S.C. Code Ann. § 44-29-145](#)

South Dakota

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [S.D. CODIFIED LAWS § 22-18-31](#)

Tennessee

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [TENN. CODE ANN. § 39-13-109](#)

Texas

- State does not have HIV-specific law, but individuals with HIV have been prosecuted under state criminal law for a crime related to their HIV status

Utah

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [UTAH CODE ANN. § 76-10-1309](#)

Vermont

- No known prosecutions or HIV-specific statutes

Virginia

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [VA. CODE ANN. § 18.2-67.4:1](#)



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Washington

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [WASH. REV. CODE § 9A.36.011](#)

West Virginia

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [W. VA. CODE ANN. § 16-4-20](#)

Wisconsin

- State has HIV-specific criminal law or broader criminal law related to perceived or potential exposure or transmission of HIV
- See [WIS. STAT. § 973.017](#)

Wyoming

- No known prosecutions or HIV-specific statutes