

HOUSE No. 02205

The Commonwealth of Massachusetts

PRESENTED BY:

Bradley H. Jones, Jr.

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to the deliberate spread of contagious diseases..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>
<i>Donald F. Humason, Jr.</i>	<i>4th Hampden</i>
<i>Sheila Harrington</i>	<i>1st Middlesex</i>
<i>Angelo D'Emilia</i>	<i>8th Plymouth</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>
<i>George Ross</i>	<i>2nd Bristol</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>
<i>George N. Peterson, Jr.</i>	<i>9th Worcester</i>
<i>Elizabeth Poirier</i>	<i>14th Bristol</i>
<i>Viriato Manuel deMacedo</i>	<i>1st Plymouth</i>

HOUSE No. 02205

By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 2205) of Frost and others relative to the deliberate spread of contagious diseases Joint Committee on the Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
□ HOUSE
□ , NO. 1427 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the deliberate spread of contagious diseases..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

- 1 SECTION 1. Chapter 265 of the General Laws, as appearing in the 2008 Official Edition, is
- 2 hereby amended by inserting after section 47 the following new section:—
- 3 Section 48. (a) No person who is or has been afflicted with acquired immunodeficiency
- 4 syndrome (AIDS), AIDS related complexities (ARC), or other manifestations of human
- 5 immunodeficiency virus (HIV) infection, so called, shall engage in one or more of the following
- 6 activities:
- 7 (1) Knowingly engaging in sexual intercourse without first informing the partner of his infection;
- 8 (2) Knowingly committing an act of prostitution with another person;

9 (3) Knowingly selling or donating blood, blood products, semen, tissue, organs, and other bodily
10 fluids;

11 (4) Knowingly sharing with another person a hypodermic needle or syringe without first
12 informing the person that the syringe has been used by a person infected with HIV.

13 A violation of this section shall be punished by imprisonment in state prison for a period of no
14 less than five years and nor more than 15 years or by a fine of no less than \$5000 and no more
15 than \$15,000, or both.

16 (b) Any person who is convicted of violating section 22, 22A, 22B, 22C, or 23 of this chapter
17 and is afflicted with AIDS, ARC, or other manifestations of HIV infection at the time of the
18 crime may be subject to an increase of five years to the term of imprisonment.

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