

HIV Criminalization in Georgia: What We Know

HIV Criminalization Laws in Georgia (2020)

Code Section	Criminalized Conduct
GA. CODE ANN. § 16-5-60(c)(1)	Engaging in sexual intercourse or sexual acts without prior disclosure of one's HIV-positive status
GA. CODE ANN. § 16-5-60(c)(2)	Sharing needles or syringes without prior disclosure of one's HIV-positive status
GA. CODE ANN. § 16-5-60(c)(3)	Offering or agreeing to engage in sexual intercourse in exchange for money without first disclosing one's HIV-positive status
GA. CODE ANN. § 16-5-60(c)(4)	Soliciting another person for sodomy (defined as oral or anal sex) in exchange for money without first disclosing one's HIV-positive status
GA. CODE ANN. § 16-5-60(c)(5)	Donating blood, blood products, other bodily fluids, or any body organ or body part without first disclosing HIV-positive status
GA. CODE ANN. § 16-5-60(d)(1)	Committing an assault with the intent to transmit HIV or hepatitis upon a peace officer using blood, semen, vaginal secretions, saliva, urine, or feces
GA. CODE ANN. § 16-5-60(d)(2)	Committing an assault with the intent to transmit HIV or hepatitis upon a correctional officer using blood, semen, vaginal secretions, saliva, urine, or feces

543

Number of people who came into contact with the criminal system under one of these HIV specific laws from 1988 through the third quarter of 2017

74

Number of people actually convicted under one of these laws from 1988 through the third quarter of 2017

100%

Percentage of these convictions that did not require intent to transmit HIV

100%

Percentage of these convictions pursuant to a statute written so broadly that it includes conduct that cannot, in fact, result in transmission

0

Number of convictions that required actual transmission of HIV as an element of the offense