

HIV Is Not A Crime.

Modernize Nevada's HIV Criminal Laws.

Public health experts and civil rights organizations agree: it's time to modernize Nevada's **outdated, ineffective** and **discriminatory** laws that criminalize people living with HIV.

THE PROBLEM

Outdated:

Thanks to modern medicine, we know how to eliminate the risk of HIV transmission through treatment and prevention medications. Instead, these laws criminalize behavior that science has proven cannot transmit the virus.

Ineffective:

Instead of protecting people from HIV exposure, Nevada's HIV criminal laws *hurt* public health by discouraging those at risk from getting tested and those living with HIV from seeking treatment and disclosing their status.

Discriminatory:

These laws unfairly target people because of their HIV status — rather than their actions. To be found guilty, a person doesn't have to transmit the virus or have any chance of transmitting the virus — they just have to be HIV-positive. The laws treat HIV differently from every other communicable disease. And they disproportionately impact certain communities who are more likely to be living with HIV, including LGBTQ+ people, Black and Latinx people and transgender women.

THE SOLUTION

We can end Nevada's HIV epidemic if we use proven prevention methods and modernize our HIV laws. In 2019, the Nevada Legislature created the HIV Modernization Task Force to recommend changes to Nevada's outdated, ineffective and discriminatory HIV criminal laws. They have recommended the following solutions:

1. **Make intentional conduct that may transmit HIV a misdemeanor instead of a felony and move the statute from the penal code to the public health code.**
2. **Amend outdated laws that currently criminalize behaviors such as biting and spitting, even though HIV cannot be transmitted through saliva.**
3. **Repeal laws that require people arrested for certain crimes and people who are incarcerated to be tested for HIV.**
4. **Repeal the law that makes it a felony for people living with HIV to engage in sex work.**

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SUPPORTERS

A broad coalition of public health officials, elected leaders and civil rights organizations support modernizing outdated, ineffective and discriminatory HIV criminal laws.



President Joe Biden:

“These laws perpetuate discrimination and stigma towards people with HIV/AIDS, and there is simply no ‘scientific basis’ for them.”

The Biden Plan to Advance LGBTQ+ Equality in America and Around the World



Vice President Kamala Harris:

“I support reversing outdated laws that continue to stigmatize individuals with HIV. Furthermore, we need to ensure that we are enforcing laws already on the books that prevent discrimination against individuals on the basis of their HIV status.”

HIV Plus Magazine, 9/19/19



Senator Dallas Harris:
(D-Las Vegas)

“It is long past time to modernize our state’s approach to HIV. Historically, simply having this disease has been criminalized across the country, which has perpetuated false and harmful misconceptions about the disease and the people who have it. In Nevada, we will treat HIV as a public health issue and not a crime, leading to better health outcomes for all of our citizens.”



Governor Stephen F. Sisolak:

“Senate Bill 284 was passed with bipartisan support in 2019 and I was proud to sign it into law in order to create the Advisory Task Force on Human Immunodeficiency Virus (HIV) Exposure Modernization. The Task Force is taking a close look at our current statutes and regulations and making recommendations so the State of Nevada can better support those living with HIV/AIDS.”

