HOUSE DOCKET, NO. 2374 FILED ON: 1/17/2013

HOUSE . . . . . No. 1398

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:

An Act relative to the deliberate spread of contagious diseases.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
Bradley H. Jones, Jr.	*20th Middlesex*
George N. Peterson, Jr.	*9th Worcester*
Bradford Hill	*4th Essex*
Elizabeth A. Poirier	*14th Bristol*
Viriato Manuel deMacedo	*1st Plymouth*
Donald F. Humason, Jr.	*4th Hampden*
Sheila C. Harrington	*1st Middlesex*
Nicholas A. Boldyga	*3rd Hampden*
Kimberly N. Ferguson	*1st Worcester*
Daniel B. Winslow	*9th Norfolk*
Todd M. Smola	*1st Hampden*
Kevin J. Kuros	*8th Worcester*
Matthew A. Beaton	*11th Worcester*

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By Mr. Jones of North Reading, a petition (accompanied by bill, House, No. 1398) of Bradley H. Jones, Jr. and others relative to the deliberate spread of contagious diseases. The Judiciary.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *2205* OF 2011-2012.]

The Commonwealth of Massachusetts

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:

SECTION 1. Chapter 265 of the General Laws, as most recently amended by chapter 178 of the acts of 2011, is hereby amended by inserting after section 57 the following new section:—

Section 58. (a) No person who is or has been afflicted with acquired immunodeficiency syndrome (AIDS), AIDS related complexities (ARC), or other manifestations of human immunodeficiency virus (HIV) infection, so called, shall engage in one or more of the following activities:

(1) Knowingly engaging in sexual intercourse without first informing the partner of his infection;

(2) Knowingly committing an act of prostitution with another person;

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

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

15 A violation of this section shall be punished by imprisonment in state prison for a period
16 of no less than five years and no more than 15 years, or by a fine of no less than $5,000 and no
17 more than $15,000, or both.

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

21