

**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 adoption of the accompanying bill:

An Act relative to the deliberate spread of contagious diseases.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>1/15/2015</i>
<i>Bradford R. Hill</i>	<i>4th Essex</i>	<i>1/29/2015</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>1/16/2015</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>9/19/2019</i>
<i>Todd M. Smola</i>	<i>1st Hampden</i>	<i>9/19/2019</i>
<i>Paul K. Frost</i>	<i>7th Worcester</i>	<i>9/19/2019</i>
<i>F. Jay Barrows</i>	<i>1st Bristol</i>	<i>9/19/2019</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	<i>9/19/2019</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>9/19/2019</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>9/19/2019</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>9/19/2019</i>
<i>Nicholas A. Boldyga</i>	<i>3rd Hampden</i>	<i>9/19/2019</i>

**HOUSE . . . . . No. 1398**

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. 1398 OF 2013-2014.]

**The Commonwealth of Massachusetts**

**In the One Hundred and Eighty-Ninth General Court  
(2015-2016)**

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 is hereby amended by inserting after  
2 section 58 the following new section:—

3 Section 59. (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  
8 infection;

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

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

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

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

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

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