



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bills 1160 through 1162 (as reported without amendment)

Sponsor: Senator Jeremy Moss (S.B. 1160)

Senator Stephanie Chang (S.B. 1161)

Senator Jeff Irwin (S.B. 1162)

Committee: Civil Rights, Judiciary, and Public Safety

CONTENT

Senate Bill 1160 would repeal Section 5210 of the Public Health Code, which prescribes felony and misdemeanor penalties for individuals who knowingly engage in anal or vaginal intercourse without disclosing their human immunodeficiency virus (HIV) status, with the intent to transmit HIV or acting in reckless disregard.

Senate Bill 1161 would amend the Michigan Penal Code to modify a Michigan Compiled Law reference to Section 5210 of the Public Health Code, which would be repealed under Senate Bill 1160.

Senate Bill 1162 would delete sentencing guidelines in the Code of Criminal Procedure for the felony penalties proposed to be repealed by Senate Bill 1160.

MCL 333.5210 (repealed) (S.B. 1160)

750.449a (S.B. 1161)

777.13k (S.B. 1162)

BRIEF RATIONALE

As of 2023, the State reported 696 new diagnoses of HIV and the HIV transmission rate is 3.8%.¹ According to testimony before the Senate Committee on Civil Rights, Judiciary, and Public Safety, the current laws penalizing nondisclosure of HIV status were enacted out of fear during the acquired immunodeficiency syndrome (AIDS)/HIV epidemic. Some believe that the penalization discourages people from getting tested for and seeking treatment of HIV for fear of being penalized after knowing their status. It has been suggested to repeal the current penalties.

Legislative Analyst: Eleni Lionas

FISCAL IMPACT

The bill would have no fiscal impact on the State or local government, nor State or local courts.

Date Completed: 12-11-24

Fiscal Analyst: Joe Carrasco, Jr.
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¹ "HIV Prevalence December 31, 2023. Report.", MDHHS Bureau of HIV and STI Programs. Retrieved 12-10-24.