



Legislation Details (With Text)

**File #:** Res 0801-2005      **Version:** \*      **Name:** Make it a felony to intentionally transmit HIV/AIDS to another individual.  
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**Title:** Resolution urging the New York State Legislature to make it a felony to intentionally transmit the Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS) to another individual.

**Sponsors:** Peter F. Vallone, Jr., Leroy G. Comrie, Jr., James F. Gennaro, G. Oliver Koppell, Michael C. Nelson, James Sanders, Jr.

**Indexes:**

**Attachments:**

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12/31/2005	*	City Council	Filed (End of Session)	

Res. No. 801

Resolution urging the New York State Legislature to make it a felony to intentionally transmit the Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS) to another individual.

By Council Members Vallone Jr., Comrie, Gennaro, Koppell, Nelson and Sanders Jr.

Whereas, The Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS) is a tragic, life-threatening disease that affects people globally; and

Whereas, Statistics from the Centers for Disease Control and Prevention (CDC) indicate that in the United States, there are more than 900,000 people who are HIV-positive and over 500,000 people are living with AIDS; each year, there are approximately 40,000 new infections; and

Whereas, Furthermore, according to the CDC, New York State has the highest incidence of HIV/AIDS cases with approximately 160,000 cases with over 60,000 currently living with AIDS; and

Whereas, There is no question that HIV/AIDS sufferers must be supported and protected from discriminatory practices; and

Whereas, At the same time, those that are HIV positive or have developed AIDS must ensure that others are not at risk of exposure; and

Whereas, There have been a number of incidents where an infected individual has knowingly put another individual at risk for exposure; and

Whereas, Recently, a 31-year old New York City teacher's aide found out that her boyfriend of three years had knowingly infected her with the Human Immunodeficiency Virus which he had contracted at age 15 through a blood transfusion; and

Whereas, The victim had compared her exposure to the disease as 'taking someone's life'; and

Whereas, Twenty-four states have adopted statutes that penalize criminal exposure or transmission of HIV generally or by certain specific behavior such as spitting, donating blood, or sexual intercourse; and

Whereas, New York State does not have any specific or enunciated penalty for intentional HIV exposure; now, therefore, be it

Resolved, That the Council of the City of New York urges the New York State Legislature to make it a felony to intentionally transmit the Human Immunodeficiency Virus/Acquired Immune Deficiency Syndrome (HIV/AIDS) to another individual.