



OPPOSE HB193

- **Definition Dangerously Overly Broad**

“a communicable disease which could be transmitted to another person through [saliva, vomit, mucus, blood, seminal fluid, urine, or feces]”

-HB193 criminalizes the common cold. This definition includes diseases that are unlikely to cause lasting harm, much less harm warranting felony punishment.

-This definition also includes sexually transmitted infections that are treatable and either cannot be transmitted by or require more than casual contact with the listed bodily fluid and material (e.g. chlamydia, gonorrhea, HIV).

- **Fluids Criminalized Mostly Pose Minimal or No Risk of HIV Transmission**

-The language in HB193 does not reflect the scientific evidence on communicable disease transmission for diseases such as HIV and Hepatitis C. There are no reported cases of HIV being transmitted through vomit, mucus, urine, feces, or saliva.

-HIV is treatable and people living with HIV who enter forms of treatment (e.g. daily medication) pose a non-existent or negligible risk of transmitting the disease.

- **HB193 is Redundant**

-Kentucky’s “wanton endangerment” law is already being used to prosecute people for alleged HIV exposure. In Kentucky, the crime of first-degree wanton endangerment requires that, “under circumstances manifesting extreme indifference to the value of human life,” an individual wantonly engages in “conduct which creates a substantial danger of death or serious physical injury to another person.” The crime of first-degree wanton endangerment is a Class D Felony and punishable by one to five years in prison and a \$1,000 - \$10,000 fine.