



“HIV IS NOT A CRIME”

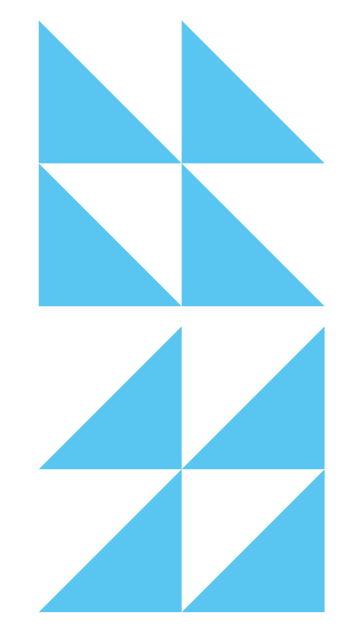
MODERNIZATION OF LOUISIANA’S HIV EXPOSURE LAW

BY: MILLICENT FOSTER



TABLE OF CONTENTS

- Introduction of Host Organization
- Current HIV Laws
- HIV Criminalization Stats
- 2018 Stigma Index Project
- 2023 HR130 Task Force
- 2024 HB 436 - Task Force Results
- 2025 HB 76: Criminalize all STI's (felonies/misdemeanors)
- 2025 HR 322: Task Force
- Modernizing the bill HB 808 2026
- HB 808
- Next Steps
- Acknowledgements



HOST ORGANIZATION

Louisiana Coalition on Criminalization & Health - (LCCH)

The Louisiana Coalition on Criminalization and Health (LCCH) are a statewide group of People Living With HIV (PLWH), advocates, allies, public health professionals and clinicians who are fighting to end the harmful impacts of laws that stigmatize people who are living with HIV in our community.

LCCH envisions a future where all Louisianans can thrive and experience pleasure and healthy relationships without fear of criminalization as a result of their HIV status.



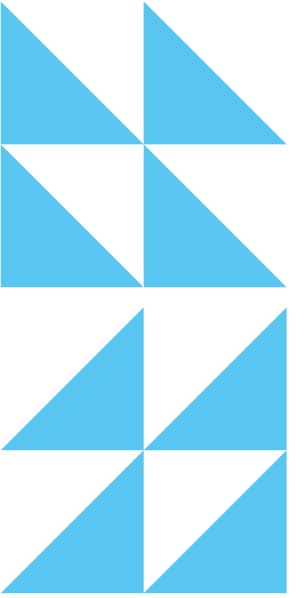


Current HIV Laws

Intentional Exposure of HIV

Policy & Reform: A 2023-2024 task force recommended updating or repealing the law to align with modern scientific understanding of HIV transmission.

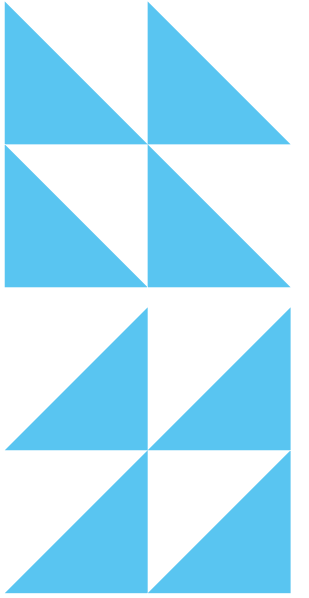
The law is criticized for fueling stigma, discouraging testing, and ignoring advancements in HIV treatment, such as undetectable viral loads.



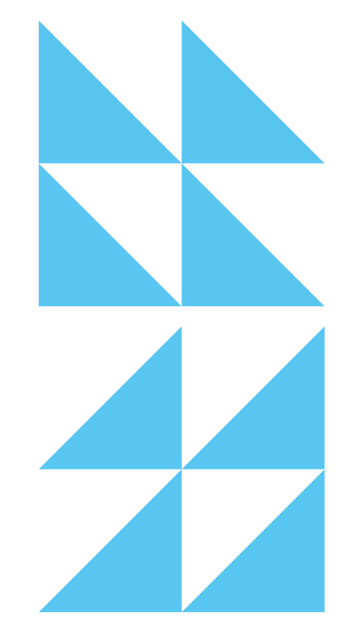


Criminalization Law

Williams Institute

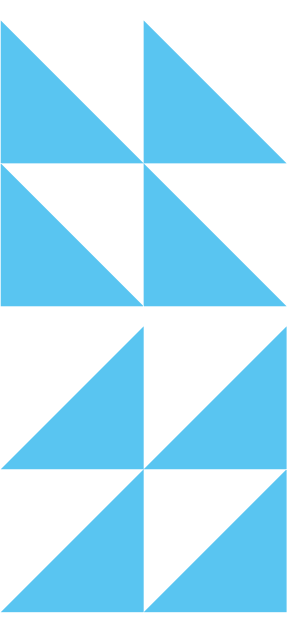


- Louisiana's one HIV criminal law makes it a felony for a person who is knowingly living with HIV to intentionally expose another person to HIV.
 - HIV-related crimes in Louisiana are disproportionately enforced based on race and sex and impact Black men the most.
 - The number of HIV incidents in Louisiana—or interactions with law enforcement involving allegations of HIV crimes—is not declining over time
- 



HIV Criminalization Stats for Louisiana

- Louisiana has one of the most punitive HIV criminalization statutes in the U.S. (RS 14:43.5), resulting in at least 137 reported incidents and 47+ convictions (involving 43 people) from 2011 to 2022.
- The law disproportionately impacts Black people, who make up nearly three-quarters of convictions.
- Convictions require 15-year sex offender registration, with 63% of these individuals listed only due to their HIV status.



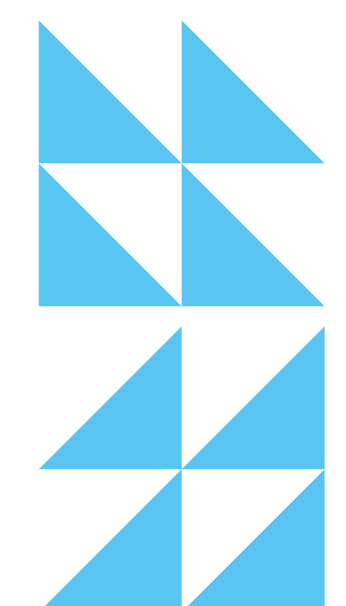
2018 STIGMA INDEX PROJECT

Rep. Edmond Jordan & Sen. Regina Barrow

- Amended Louisiana's HIV criminalization statute
- Continued to criminalize "intentional exposure to HIV"
- Added affirmative defenses
- Maintained felony penalties tied to HIV exposure
- Included provisions related to exposure of "law enforcement/first responders"

This bill was often described as an attempt to "modernize" the law, but still preserved criminalization and did not fully align with current HIV science





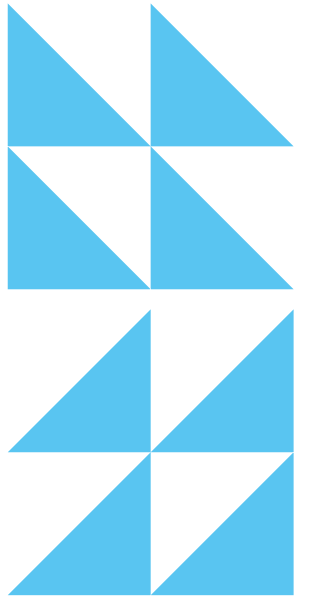
2023 NO BILL

During the 2023 Legislative Session, LCCH partnered with House Reps Aimee Freeman and Mandie Landry to launch the HR 130 Task Force to explore the impacts of HIV criminalization in Louisiana. The task force aimed to align state laws with modern science, reduce coercive use of the law, and report findings to the legislature.



TASK FORCE RESULTS

2024 HB 436



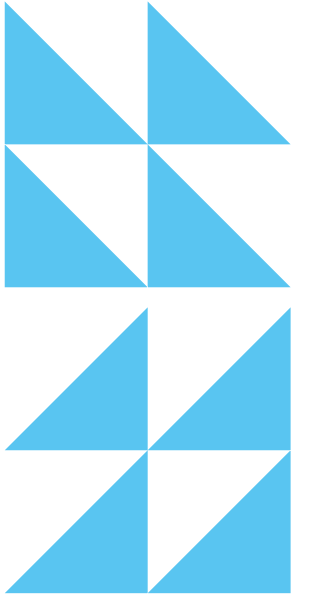
- **Policy & Reform: A 2023-2024 task force recommended updating or repealing the law to align with modern scientific understanding of HIV transmission.**
- **The law is criticized for fueling stigma, discouraging testing, and ignoring advancements in HIV treatment, such as undetectable viral loads.**
- Proposed changing the law from "intentional exposure" → "intentional transmission"
- Required specific intent to transmit HIV
- Limited charges to substantial risk of transmission (not low/no risk contact)
- Reduced penalties from: up to 10 years → up to 1 year
- Recognized prevention methods (like condoms or treatment) as protections
- It was the first bill to seriously shift Louisiana Law toward science-based, intent focused standards, even though it didn't pass



2025 HB 76

Criminalize all STI's (felonies/misdemeanors)

Introduced by Rep. Pat Moore

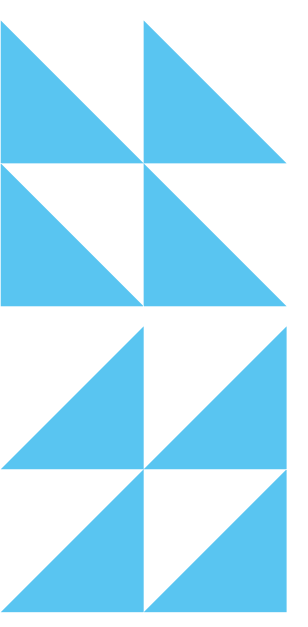


Proposed creating the crime of felony “intentional infection of an incurable sexually transmitted disease”, as well as misdemeanor for curable diseases.

As of May/June 2025, the bill failed to pass, and it was shelved/deferred following public testimony and opposition, resulting in a task force being created.

Added sex offender registration requirements for convictions





2025 HR 322

Task Force From HB 76

A Resolution to create a task force to study the public health outcomes related to incurable sexually transmitted diseases and to report its findings prior to the convening of the 2026 Regular Legislature Session of Louisiana



Modernizing The Bill - 2026

HB 808 introduced by: Rep. Wayne McMahan

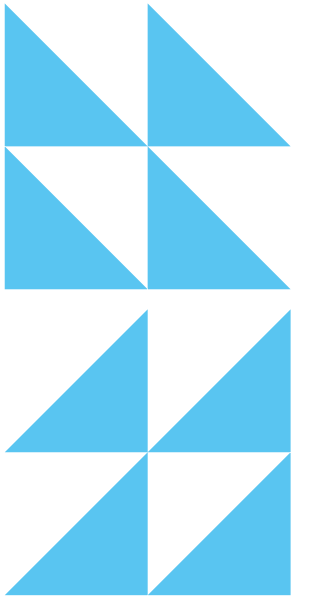
- Revises Louisiana's "intentional exposure of HIV" statute
- Keeps HIV criminalization on the books but updates structure & language
- Clarifies prosecution standards around "intentional exposure"
- Attempts to refine what counts as actionable conduct (rather than vague exposure language)
- Does Not eliminate HIV criminalization
- Prevents criminal penalties but adjusts procedural/legal definitions

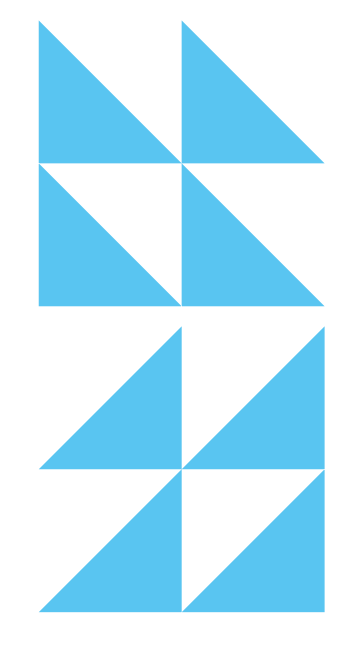
HB 808

808 is not a repeal bill – it is a restructuring bill

Current Bill

- Keeps criminalization framework
- Refines definitions & intent standards
- Represents a moderate/technical reform--not full decriminalization
- Does not end HIV criminalization
- Does not fully adopt U=U as a legal defense
- Focuses on clarifying and modernizing enforcement language





HB 808 PASSED

HB 808 carried by Sen. Adam Bass
Passed: House Criminal Justice Committee
House Floor, Senate Judiciary C Committee, Senate Floor
All without Opposition!!!!!!!!!!!!!!

HB 808 was signed by Governor Jeff Landry
May 15, 2026

HB 808 is now ACT 177
Effective June 1, 2026
OUR FIRST WIN!!!!!!!!!!!!!!





ACKNOWLEDGEMENTS

**Louisiana Coalition on
Criminalization and Health
(LCCH)**

Williams Institute