

SENATE BILL NO. 284—SENATORS PARKS, BROOKS, SPEARMAN;
ANCELA, DENIS, DONDERO LOOP, D. HARRIS, RATTI,
SCHEIBLE AND WOODHOUSE

MARCH 15, 2019

JOINT SPONSORS: ASSEMBLYMEN THOMPSON;
CARLTON AND SPIEGEL

Referred to Committee on Health and Human Services

SUMMARY—Creates the Advisory Task Force on HIV Exposure
Criminalization. (BDR S-742)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: Yes.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets [omitted material] is material to be omitted.

AN ACT relating to medical conditions; creating the Advisory Task
Force on HIV Exposure Criminalization; setting forth the
duties of the Task Force; and providing other matters
properly relating thereto.

Legislative Counsel's Digest:

1 This bill creates the Advisory Task Force on HIV Exposure Criminalization
2 appointed by the Governor. This bill requires the Task Force to conduct a
3 comprehensive examination during the 2019-2020 legislative interim of the statutes
4 and regulations in this State related to the criminalization of exposing a person to
5 the human immunodeficiency virus (HIV). This bill requires the Task Force to
6 submit a report of its findings and recommendations to the Governor and the
7 Legislative Counsel Bureau not later than September 1, 2020.

1 WHEREAS, Multiple peer-reviewed studies demonstrate that
2 human immunodeficiency virus-specific laws do not reduce risk-
3 taking behavior or increase disclosure by people living with or at
4 risk of contracting the human immunodeficiency virus (HIV), and
5 there is increasing evidence that these laws reduce the willingness to
6 get tested; and



WHEREAS, Antiretroviral medications can reduce the human immunodeficiency virus to undetectable levels and reduce the risk of transmitting HIV to near zero; and

WHEREAS, Nevada has implemented multiple statutes that impose penalties on people with HIV who know their HIV status and potentially expose others to HIV; now, therefore,

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. 1. The Advisory Task Force on HIV Exposure Criminalization is hereby created.

2. The Governor shall:

(a) Solicit applications for appointment to the Task Force; and

(b) After considering each application received pursuant to this subsection, appoint members to the Task Force.

3. The Speaker of the Assembly and the Majority Leader of the Senate may each recommend to the Governor the appointment of one Legislator to the Task Force.

4. At the first meeting of the Task Force, the members of the Task Force shall elect a Chair and a Vice Chair by majority vote.

5. A vacancy occurring in the appointed membership of the Task Force must be filled in the same manner as the original appointment.

6. The Task Force shall consult with and solicit input from persons and entities with expertise in matters relevant to the Task Force in carrying out its duties pursuant to this section.

7. The Department of Health and Human Services shall provide the Task Force with such staff as is necessary for the Task Force to carry out its duties pursuant to this section.

8. The members of the Task Force serve without compensation or per diem allowance. A member may receive reimbursement for travel expenses if sufficient money collected pursuant to subsection 9 for the Task Force to carry out its duties is available.

9. The Task Force may apply for any available grants and accept any gifts, grants or donations to assist the Task Force in carrying out its duties pursuant to this section.

10. The Task Force shall review and evaluate the current statutes and regulations of this State that criminalize exposure to the human immunodeficiency virus (HIV) or acquired immune deficiency syndrome (AIDS) with the goal of identifying recommendations for modernizing those statutes and regulations and addressing discrimination with respect to people living with HIV/AIDS.



1 11. The Task Force may make recommendations concerning
2 any matter relating to the review and evaluation pursuant to
3 subsection 10, including, without limitation, recommendations
4 concerning proposed legislation, proposed regulations and policies.

5 12. The Task Force shall, on or before September 1, 2020,
6 prepare and submit a report of the activities, findings and
7 recommendations of the Task Force to:

8 (a) The Governor; and

9 (b) The Director of the Legislative Counsel Bureau for
10 transmittal to the 81st Session of the Legislature.

11 **Sec. 2.** This act becomes effective on July 1, 2019.

