



HIV Modernization

By Senator Shevrin Jones, Senator Ana Maria Rodriguez, and Representative RaShon Young

Florida's HIV laws were written during the height of the AIDS epidemic and have not been updated to reflect tremendous advances in HIV prevention and treatment. "HIV Modernization" would align public health laws with current science, reduce wasteful spending that does not reflect actual risk, and reduce the disincentives that keep people from getting tested.

TOPLINE FACTS:

- Florida's HIV laws have fallen far behind current science in treatment and prevention.
- Our outdated laws punish conduct where there is effectively zero risk of transmission.
- Current law discourages Floridians from getting tested and knowing their status.

A Public Health Issue: Florida Needs to Act on HIV

- Florida is among the states with the highest number of total new HIV transmission cases and the highest number of new HIV transmission cases per capita.
- Our outdated HIV laws work against public health by perpetuating HIV stigma and discouraging people from knowing their status. This keeps people out of treatment and can lead to further transmissions.
- Allowing organ donations from someone living with HIV to another person living with HIV helps everyone—when that person is taken off the waitlist, everyone else moves up.
- Since 2022, states such as Georgia, Tennessee, Kentucky, and North Dakota have updated their HIV laws to promote public health and better align with modern science.

A Fairness Issue: Laws Should Reflect the Risk

- A person can be sentenced to 30 years in prison if they cannot prove that they disclosed their HIV status—even if HIV transmission did not occur and was not medically possible.
- In the 1980s, when Florida's HIV laws were written, life expectancies were sometimes given in months. Today, a person living with HIV who is in treatment has a life expectancy nearly the same as someone without HIV. Our laws should reflect that progress.
- Under HIV Modernization legislation, it will still be illegal to intentionally transmit HIV.
- Due to medical advances, a person who is in treatment and has an "undetectable" viral load cannot sexually transmit HIV to a sexual partner, eliminating the risk of transmission.
- We have a responsibility to align our HIV laws with current science, as states including Georgia, Tennessee, Kentucky, and North Dakota have recently done.