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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-SECOND SESSION

H. F. No. 3399

02/14/2022

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The bill was read for the first time and referred to the Committee on Public Safety and Criminal Justice Reform Finance and Policy

1.1 A bill for an act
1.2 relating to public safety; requiring intent as element of crime of transfer of human
1.3 immunodeficiency virus from one person to another person; amending Minnesota
1.4 Statutes 2020, section 609.2241, subdivision 2.

1.5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6 Section 1. Minnesota Statutes 2020, section 609.2241, subdivision 2, is amended to read:

1.7 Subd. 2. **Crime.** (a) It is a crime, which may be prosecuted under section 609.17, 609.185,
1.8 609.19, 609.221, 609.222, 609.223, 609.2231, or 609.224, for a person who knowingly
1.9 harbors an infectious agent, other than human immunodeficiency virus, to transfer this agent
1.10 to another person, if the crime involved:

1.11 (1) sexual penetration with another person without having first informed the other person
1.12 that the person has a communicable disease;

1.13 (2) transfer of blood, sperm, organs, or tissue, except as deemed necessary for medical
1.14 research or if disclosed on donor screening forms; or

1.15 (3) sharing of nonsterile syringes or needles for the purpose of injecting drugs.

1.16 (b) It is a crime for a person who knowingly harbors the human immunodeficiency virus
1.17 to intentionally transfer the virus to the body of another person by using a mode of
1.18 transmission under paragraph (a), clauses (1) to (3).

1.19 **EFFECTIVE DATE.** This section is effective August 1, 2022, and applies to crimes
1.20 committed on or after that date.