

# HOUSE BILL No. 6020

May 16, 2018, Introduced by Rep. Hoadley and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled  
"Public health code,"  
by amending section 5210 (MCL 333.5210), as added by 1988 PA 490.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 5210. (1) A person who knows that he or she has or has  
2    been diagnosed as ~~having acquired immunodeficiency syndrome or~~  
3    ~~acquired immunodeficiency syndrome related complex, or who knows~~  
4    ~~that he or she is~~ **BEING** HIV infected **OR WHO OTHERWISE KNOWS THAT HE**  
5    **OR SHE IS HIV INFECTED,** and ~~who engages~~ **EXPOSES AN UNINFECTED**  
6    **PERSON TO HIV BY ENGAGING** in sexual penetration with another person  
7    without having first informed the other person that he or she ~~has~~  
8    ~~acquired immunodeficiency syndrome or acquired immunodeficiency~~  
9    ~~syndrome related complex or is~~ HIV infected **WITH THE INTENT THAT**

1 THE UNINFECTED PERSON CONTRACT HIV, AND WHOSE ENGAGEMENT IN SEXUAL  
2 PENETRATION WITH THE OTHER PERSON ACTUALLY RESULTS IN THE  
3 UNINFECTED PERSON'S BECOMING HIV INFECTED is guilty of a  
4 ~~felony~~. MISDEMEANOR PUNISHABLE BY IMPRISONMENT FOR NOT MORE THAN 1  
5 YEAR OR A FINE OF NOT MORE THAN \$1,000.00, OR BOTH.

6 (2) As used in this section, "sexual penetration" means sexual  
7 intercourse, cunnilingus, fellatio, anal intercourse, or any other  
8 intrusion, however slight, of any part of a person's body or of any  
9 object into the genital or anal openings of another person's body,  
10 but emission of semen is not required.

11 Enacting section 1. This amendatory act takes effect 90 days  
12 after the date it is enacted into law.