
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE RESOLUTION

No. 310 Session of
2024

INTRODUCED BY WAXMAN, McNEILL, SANCHEZ, KINSEY, GIRAL, KENYATTA,
SCHLOSSBERG, KHAN, MALAGARI, HILL-EVANS, CONKLIN AND
HOHENSTEIN, JANUARY 31, 2024

REFERRED TO COMMITTEE ON HUMAN SERVICES, JANUARY 31, 2024

A RESOLUTION

1 Designating February 28, 2024, as "HIV is Not a Crime Awareness
2 Day" in Pennsylvania.

3 WHEREAS, Human immunodeficiency virus (HIV) is a chronic
4 illness that can be effectively managed with antiretroviral
5 therapy, and the science around HIV treatment and prevention has
6 progressed significantly in the four decades since the early
7 days of the epidemic; and

8 WHEREAS, We now possess effective mechanisms to prevent the
9 transmission of HIV, including barrier protection, such as
10 condoms, pre-exposure prophylaxis and post-exposure prophylaxis;
11 and

12 WHEREAS, It has been recognized by national and international
13 public health authorities that HIV treatment is also HIV
14 prevention, since individuals living with HIV who are receiving
15 antiretroviral therapy and have an undetectable viral load,
16 which is less than 200 copies of HIV per milliliter of blood,
17 cannot transmit HIV through sexual contact; and

1 WHEREAS, Pennsylvanians living with HIV have been charged
2 with crimes for conduct that would not be criminal or would be
3 less severe but for their HIV status, a phenomenon known as HIV
4 criminalization; and

5 WHEREAS, Pennsylvanians living with HIV may fear prosecution
6 or be threatened with prosecution, especially in cases of
7 intimate partner abuse; and

8 WHEREAS, HIV criminalization increases stigma against
9 individuals living with HIV and, according to the United States
10 Department of Health and Human Services 2019 Plan for Ending the
11 HIV Epidemic, stigma "can be a debilitating barrier preventing
12 people living with, or at risk for, HIV from receiving the
13 health care, services, and respect they need and deserve"; and

14 WHEREAS, HIV criminalization laws have been
15 disproportionately used to prosecute people of color, women, sex
16 workers, the LGBTQ+ community and other marginalized groups; and

17 WHEREAS, Misperceptions about HIV transmission, treatment and
18 prevention, as well as HIV criminalization and its impact on
19 individuals living with HIV are common; and

20 WHEREAS, It is vitally important for all elected officials in
21 this Commonwealth to consider updating or repealing outdated
22 laws and practices regarding HIV criminalization and to
23 encourage every Pennsylvanian to educate themselves about HIV
24 and HIV criminalization; therefore be it

25 RESOLVED, That the House of Representatives designate
26 February 28, 2024, as "HIV is Not a Crime Awareness Day" in
27 Pennsylvania.