

2019 Senate Bill 284 (19 SB284) Task Force Activities and Timeline

(Andre Wade) As of 7/24/2020

Under 2019 Senate Bill 284, the specific duties and responsibilities of the Task Force are:	Nevada Revised Statutes	Member(s) Responsible	Status	Completion Deadline	Source Documentation	Comments/Notes
a. Identify, review and evaluate the current statutes and regulations of this State that criminalize exposure to HIV;	All listed in Sidley Memo	All		08/19/2020	HIV Coalition Doc Sidley Memo Elements of Modernization	Point out that these laws do not necessarily reduce HIV transmission. Stephan Page to do research on this.
b. Research the implementation and impact of such statutes and regulations, including without limitation, quantifying their impact through the analysis of the records, information, and data relevant to this State to the extent possible;	174.031 201.354 218D.270 441A.230 441A.220 441A.320	Steve Amend		08/19/2020		201.354 leave as is. 441A.230 leave as is. No comment. 441A.320 maybe remove specific mention of HIV since it is a STD/STI (CDC uses STI and STD language, per Amend.)
c. Identify any disparities in arrests, prosecutions or convictions under such statutes or regulations related to race, color, sex, sexual orientation, gender identity or expression, age or national origin;	174.031 201.205 201.356 201.358 201.354 209.385 441A.300	Stephan Page Octavio Posada		08/12/2020		174.031 leave as is. 201.205 up for possible repeal. If not repealed, what is an alternative. Perhaps move to misdemeanor (of which there are different categories). Add language around U=U and/or condom use. However, U=U can't be a standard, but maybe an affirmative defense. Make change to definition of what it means to be 'positive.'

						<p>441A.180 HIV as a communicable disease; therefore, no need for 441A.300 (don't make change). Could be used to justify repealing 201.205.</p> <p>441A.300 should be repealed.</p> <p>201.356 should someone have to pay \$100? Some agree. Some don't. Look at just of laws and stigma. Who should bear costs? Perhaps flat fee for all STI/STD testing.</p> <p>201.385 3(a)(b) to be revisited for discussion.</p> <ul style="list-style-type: none">- mimic recommendations of 201.205. There is already a punishment for prostitution. Incorporate affirmative defense. <p>Enhancements for forceable sex crimes?</p> <p>209.385(a)(b) looked at regulations in 2017, then reversed. No reference to defendants viral suppression. Is segregated defined in NRS? If no definition, then would be up to director. Do we need to look at PREA?</p>
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<p>d. Evaluate current medical and scientific research with respect to the modes of HIV transmission implicated by such statutes and regulations;</p>	<p>201.356 209.385 441A.180 441A.300 441A.320</p>	<p>Vince Collins</p>	<p>(in part) </p>	<p>08/12/2020</p>		<p>VC is looking at language re: AIDS vs HIV re: transmission. 201.356 should someone have to pay \$100? Some agree. Some don't. Look at just of laws and stigma. Who should bear costs? Perhaps flat fee for all STI/STD testing. 209.385(a)(b) looked at regulations in 2017, then reversed. No reference to defendants viral suppression. Is segregated defined in NRS? If no definition, then would be up to director. Do we need to look at PREA? 441A.180 HIV as a communicable disease; therefore, no need for 441A.300 (don't make change). Could be used to justify repealing 201.205. 441A.300 should be repealed. 441A.320 maybe remove specific mention of HIV since it is a STD/STI (CDC uses STI and STD language, per Amend.)</p>
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e. Identify any court decisions enforcing or challenging such statutes and regulations;	201.205	Steve Amend		07/29/2020		201.205 up for possible repeal. If not repealed, what is an alternative. Perhaps move to misdemeanor (of which there are different categories). Add language around U=U and/or condom use. However, U=U can't be a standard, but maybe an affirmative defense. Make change to definition of what it means to be 'positive.'
f. Assess developments occurring in other states and nationally with respect to modernizing HIV criminalization laws;	All listed in Sidley memo	All		07/29/2020	Sidley Memo	
g. The Task Force may make recommendations concerning any matter relating to the review and evaluation pursuant to subsection 10, including, without limitation, recommendations concerning proposed legislation, proposed regulations and policies; and	All listed in Sidley memo	All		08/26/2020		
h. The Task Force shall, on or before September 1, 2020 , prepare and submit a report of the activities, findings, and recommendations of the Task Force to: <ul style="list-style-type: none"> i. The Governor; ii. and the Director of the Legislative Counsel Bureau for transmittal to the 81st Session of the Legislature. 	All listed in Sidley memo	All		08/26/2020		

Legend:



Completed



Not Started



In progress