

HIV Criminalization in Georgia: What We Know

HIV Criminalization Laws in Georgia (2020)

Code Section	Criminalized Conduct
GA. CODE ANN. § 16-5-60(c)(1)	Engaging in sexual intercourse or sexual acts without prior disclosure of one's HIV-positive status
GA. CODE ANN. § 16-5-60(c)(2)	Sharing needles or syringes without prior disclosure of one's HIV-positive status
GA. CODE ANN. § 16-5-60(c)(3)	Offering or agreeing to engage in sexual intercourse in exchange for money without first disclosing one's HIV-positive status
GA. CODE ANN. § 16-5-60(c)(4)	Soliciting another person for sodomy (defined as oral or anal sex) in exchange for money without first disclosing one's HIV-positive status
GA. CODE ANN. § 16-5-60(c)(5)	Donating blood, blood products, other bodily fluids, or any body organ or body part without first disclosing HIV-positive status
GA. CODE ANN. § 16-5-60(d)(1)	Committing an assault with the intent to transmit HIV or hepatitis upon a peace officer using blood, semen, vaginal secretions, saliva, urine, or feces
GA. CODE ANN. § 16-5-60(d)(2)	Committing an assault with the intent to transmit HIV or hepatitis upon a correctional officer using blood, semen, vaginal secretions, saliva, urine, or feces

543

Number of people who came into contact with the criminal system under one of these HIV-specific laws from 1988 through the third quarter of 2017

74

Number of people actually convicted under one of these laws from 1988 through the third quarter of 2017

100%

Percentage of these convictions that did not require intent to transmit HIV

100%

Percentage of these convictions pursuant to a statute written so broadly that it includes conduct that cannot, in fact, result in transmission

0

Number of convictions that required actual transmission of HIV as an element of the offense