

REPEAL

REPEAL EXISTING POLICIES THAT ENCOURAGE AND ALLOW LEGAL STI DISCRIMINATION ACT

Bill # S.4545-A/ A.733-A

› WHAT IS PUBLIC HEALTH LAW §2307?

Public Health Law 2307 (PHL §2307) is a New York Law that makes it a misdemeanor for a person who knows they currently have a sexually transmitted infection to have sexual intercourse with another person. It does so regardless of risk of transmission, intent, or any other factors.

› WHY DOES THIS BILL NEED TO BE PASSED AND PHL §2307 REPEALED?

End the Stigma and Make it Safe to Test

Public health works when people feel safe accessing care, not when they fear arrest. PHL §2307 directly discourages testing and treatment, because knowledge of one's status can lead to criminal charges. The law is over 100 years old and out of step with modern science, which shows that viral suppression, treatment, and safer sex practices eliminate or drastically reduce risk.

Ending criminalization reduces stigma, promotes testing, and helps prevent STI and HIV transmission. Laws should reflect evidence, not fear.

PHL §2307 unfairly punish communities of color and LGBTQ+ people

No community should carry a heavier burden simply because of who they are, yet this law disproportionately harms:

- Black and Latine New Yorkers who make up 74% of individuals living with HIV in the state
- Transgender people, who experience HIV at four times the national rate.
- and 60% of individuals of childbearing age with HIV are Black women

In NYC, Black and Latine residents are only half of the population but make up 84% of adult arrests. One in five trans women—and nearly half of Black trans people—have experienced incarceration.

Because PHL §2307 criminalizes health status, these communities are more likely to be targeted, charged, and convicted. A misdemeanor conviction creates barriers to housing, employment, education, childcare, and more, worsening inequality.

As the federal government dismantles HIV care, decriminalizing PHL §2307 would promote care

The federal government is aggressively dismantling HIV care infrastructure and rolling back HIV civil rights. It is Weakening prevention and forcing providers to choose between politics and medical science.

With national protections shrinking, New York must strengthen, not criminalize, public health systems. Repeal is a necessary counterweight to federal retreat from science-based HIV policy.

› WHAT DOES THIS BILL DO TO THE LAW?

The REPEAL STI Discrimination Act will repeal PHL §2307 in the public health law.

- Reduces stigma and promote testing
- Strengthens community health and safety
- Protects vulnerable communities and survivors
- Aligns New York with modern science and national progress

PHL §2307 endangers women's safety

PHL §2307 especially harms women, particularly Black and Latine women and transgender women, who are more likely to be criminalized. Many learn their status through routine or pregnancy-related care, increasing vulnerability.

The law also endangers survivors of intimate partner violence. Abusers frequently weaponize HIV criminal laws by threatening false “exposure” claims to control or punish partners. Criminalization traps survivors in cycles of abuse and deters them from seeking care or support. Ending HIV criminalization is essential to women's dignity, autonomy, and safety.

New York must protect immigrant New Yorkers by repealing PHL §2307 safety

ICE is escalating its detention and deportation practices, using even minor citations as justification. Nearly 2,000 people were deported in 2025 for traffic violations alone.

Under intensified enforcement, a conviction under PHL §2307—long considered a “Crime Involving Moral Turpitude”—places immigrant New Yorkers at even greater risk. Fear of immigration consequences drives people away from testing and care, increasing STI and HIV rates and undermining public health.

New York must ensure outdated laws are not weaponized against immigrant communities, who make up nearly one-quarter of the state.

New York must join the growing national movement to repeal HIV criminalization laws

Eighteen states—including Texas, Louisiana, Georgia, and North Dakota—have repealed or modernized their HIV criminalization laws. Maryland did so most recently in 2025 with bipartisan support. New York is falling behind. Repealing PHL §2307 is essential to aligning state law with modern science and national best practices.

PHL §2307 is broad and unjust

The law is written so broadly that:

- No intent to transmit is required
- No actual transmission is required
- Disclosure, consent, and safer sex practices do not matter

A person can be convicted even when there is no possibility of transmission. The penalty is up to one year in jail and a \$1,000 fine—punishment with no public health benefit.