

Governor Phil Murphy

Governor Murphy Signs Legislation Decriminalizing Sexual Activity by Persons Infected with HIV

01/18/2022

TRENTON – Governor Phil Murphy today signed S3707/A5673, which repeals the statute that criminalizes sexual penetration while infected with a venereal disease or HIV under certain circumstances. Additionally, the bill requires that in prosecutions for endangering another by creating substantial risk of transmitting infectious disease, the name of the defendant and other individual be kept confidential.

“For decades, the HIV epidemic has had devastating effects on New Jersey, particularly in our LGBTQ+ communities and communities of color,” **said Governor Murphy**. “Repealing the outdated law will eliminate the stigma and fear associated with testing for HIV and other sexually transmitted infections, encouraging more individuals to be proactive in learning about their health. This new law, coupled with advances in modern science and medicine, will bolster our efforts to end the HIV/AIDS epidemic in New Jersey.”

Primary sponsors for S3707/A5673 include Senators Vitale and Ruiz, as well as former Assemblymembers Vainieri Huttle, Downey, and Zwicker.

“While working with advocates to identify areas to improve our harm reduction system of care, they identified updating our statutes to reflect what we now know about the transmission of certain diseases, especially in light of the advances in treatment, as a huge priority,” **said Senator Joe Vitale**. “Signing this bill into law will better protect and destigmatize individuals living with HIV in our state. I am thankful to the advocates who brought this issue to our attention, not only for leading the way on solid public health policy, but also in serving those in need in New Jersey.”

“Unfortunately, over the years, there has been a culture of criminally targeting HIV-positive individuals in general, rather than targeting those who intentionally expose others. The criminal code is meant to punish actions that harm others, not discriminate against people living with a chronic health condition,” **said Senator M. Teresa Ruiz**. “Signing this piece of legislation into law is a step in the right direction toward reforming the system.”

“For far too long, stigma around HIV/AIDS and the LGBTQ community has guided our laws. This legislation ensures that New Jersey moves forward guided by public health, not bigotry. We are honored to be working alongside Garden State Equality, Hyacinth and the Harm Reduction Coalition to put forth this historic legislation,” **said Assembly sponsors Valerie Vainieri Huttle, Joann Downey, and Andrew Zwicker**.

“New Jersey is leading the nation on issues of equality and this bill is an important step ensuring our residents not only experience equality in the law, but in their daily lives,” **said Christian Fuscarino, Executive Director, Garden State Equality**. “Ending the stigma around HIV is a necessity to ending the AIDS epidemic. All of us at Garden State Equality are thankful to the legislators and to Governor Murphy for understanding the importance this bill has for people living with HIV. We are thrilled to see the Murphy administration continue to push issues of equality as we enter the second term.”

“Hyacinth AIDS Foundation applauds Governor Murphy signing S3707/A-5673, sponsored by Senators Vitale, Ruiz, Weinberg and Assemblypersons Vainieri, Huttle, Downey, and Zwicker which would repeal New Jersey specific HIV criminalization statute. New Jersey’s HIV criminal law was based on stigma and fear, rather than modern science,” **said Axel Torres Marrero, Sr. Director of Public Policy and Prevention, Hyacinth**. “In 2022 it no longer reflects the current science of treatment and transmission of HIV. Today we recognize that no one should be singled out and punished on solely on the basis of their HIV status. Taken together with the Attorney General’s recent guidance that only a clear, successful intent to do harm should be punished, today New Jersey acknowledges that health care policy and the fight to end the AIDS epidemic must be anchored in the updated science of treatment and transmission of HIV.”

Governor Phil Murphy

[Home \(/governor/\)](/governor/)

[Administration](#)

[Governor Phil Murphy \(/governor/admin/about/\)](/governor/admin/about/)

[Lt. Governor Sheila Oliver \(/governor/admin/lt/\)](/governor/admin/lt/)

[First Lady Tammy Snyder Murphy \(/governor/admin/fl/\)](/governor/admin/fl/)

[Cabinet \(/governor/admin/cabinet/\)](/governor/admin/cabinet/)

[Office of Health Care Affordability and Transparency \(/governor/admin/affordablehealthcare/index.shtml\)](/governor/admin/affordablehealthcare/index.shtml)

[Boards, Commissions & Authorities \(/governor/admin/bca/\)](/governor/admin/bca/)

[Internship Opportunities \(/governor/admin/internship.shtml\)](/governor/admin/internship.shtml)

[Governor’s Residence - Drumthwacket \(http://drumthwacket.org/\)](http://drumthwacket.org/)

Key Initiatives

[Economy & Jobs \(/governor/initiatives/#Economy\)](/governor/initiatives/#Economy)

[Education \(/governor/initiatives/#Education\)](/governor/initiatives/#Education)

[Environment \(/governor/initiatives/#Environment\)](/governor/initiatives/#Environment)

[Health \(/governor/initiatives/#Health\)](/governor/initiatives/#Health)

[Law & Justice \(/governor/initiatives/#Justice\)](/governor/initiatives/#Justice)

[Transportation \(/governor/initiatives/#Transportation\)](/governor/initiatives/#Transportation)

News & Events

[Press Releases \(/governor/news/news/562022/approved/news_archive.shtml\)](/governor/news/news/562022/approved/news_archive.shtml)

[Photos \(https://www.flickr.com/photos/govmurphy\)](https://www.flickr.com/photos/govmurphy)

[Public Addresses \(/governor/news/addresses\)](/governor/news/addresses)

[Executive Orders \(/infobank/eo/056murphy/approved/eo_archive.html\)](/infobank/eo/056murphy/approved/eo_archive.html)

[Administrative Orders \(/governor/news/ao/approved/ao_archive.shtml\)](/governor/news/ao/approved/ao_archive.shtml)

[Direct Appointments \(/governor/news/appointments\)](/governor/news/appointments)

[Advice and Consent Appointments \(/governor/news/acappointments\)](/governor/news/acappointments)

[Statements on Legislation \(/governor/news/statements/approved/statements_archive.shtml\)](/governor/news/statements/approved/statements_archive.shtml)

[Administration Reports \(/governor/news/adminreports/approved/archive.shtml\)](/governor/news/adminreports/approved/archive.shtml)

[Transition Reports \(/governor/news/reports/approved/reports_archive.shtml\)](/governor/news/reports/approved/reports_archive.shtml)

[Press Kits \(/governor/news/press\)](/governor/news/press)

Social

[Facebook \(https://www.facebook.com/governorphilmurphy/\)](https://www.facebook.com/governorphilmurphy/)

[Twitter \(https://twitter.com/GovMurphy\)](https://twitter.com/GovMurphy)

[Instagram \(https://www.instagram.com/govmurphy/\)](https://www.instagram.com/govmurphy/)

[Snapchat \(https://www.snapchat.com/add/philmurphy\)](https://www.snapchat.com/add/philmurphy)

[YouTube \(https://www.youtube.com/njgovernorsoffice\)](https://www.youtube.com/njgovernorsoffice)

Contact Us

[Scheduling Requests \(/governor/contact/scheduling/\)](/governor/contact/scheduling/)

[Contact Us \(/governor/contact/all/\)](/governor/contact/all/)

Statewide

[NJ Home \(//www.nj.gov\)](http://www.nj.gov)

[Services A to Z \(//www.nj.gov/nj/gov/njgov/alphaserv.html\)](http://www.nj.gov/nj/gov/njgov/alphaserv.html)

[Departments/Agencies \(//www.nj.gov/nj/gov/deptserv/\)](http://www.nj.gov/nj/gov/deptserv/)

[FAQs \(//www.nj.gov/faqs/\)](http://www.nj.gov/faqs/)

[Contact Us \(//www.nj.gov/nj/feedback.html\)](http://www.nj.gov/nj/feedback.html)

[Privacy Notice \(//www.nj.gov/nj/privacy.html\)](http://www.nj.gov/nj/privacy.html)

[Legal Statement & Disclaimers \(//www.nj.gov/nj/legal.html\)](http://www.nj.gov/nj/legal.html)

[Accessibility Statement \(//www.nj.gov/nj/accessibility.html\)](http://www.nj.gov/nj/accessibility.html)

(//nj.gov/opra/)

(https://my.state.nj.us/openam/UI/Login)

Copyright © State of New Jersey, 1996-2023
Office of Governor PO Box 001
Trenton, NJ 08625
609-292-6000

(https://tech.nj.gov/)