

ASSEMBLY, No. 2084

STATE OF NEW JERSEY

INTRODUCED JUNE 3, 1996

By Assemblywoman VANDERVALK and  
Assemblyman RUSSO

1 AN ACT concerning increased penalties for transmitting sexually  
2 transmitted diseases and amending N.J.S.2C:34-5.

3

4 **BE IT ENACTED** by the Senate and General Assembly of the State  
5 of New Jersey:

6

7 1. N.J.S. 2C:34-5 is amended to read as follows:

8 2C:34-5. Diseased person committing an act of sexual penetration.

9 **[Any ]**A person is guilty of a crime of the fourth degree who,  
10 knowing that he or she is infected with a venereal disease such as  
11 chancroid, gonorrhea, syphilis, herpes virus, or any of the varieties or  
12 stages of such diseases, or, with human immune deficiency virus (HIV)  
13 infection or any other related virus identified as a probable causative  
14 agent of AIDS, commits an act of sexual penetration[, is a petty  
15 disorderly person].

16 (cf: P.L.1979, c. 178, s. 68)

17

18 2. This act shall take effect immediately.

19

20

21

STATEMENT

22

23 Presently, it is a petty disorderly persons offense if a person  
24 commits an act of sexual penetration, knowing that he or she is  
25 infected with a venereal disease. A petty disorderly persons offense  
26 is punishable by up to thirty days imprisonment, a fine up to \$500.00,  
27 or both. This bill would increase the penalty for this offense to a crime  
28 of the fourth degree. A crime of the fourth degree is punishable by up  
29 to eighteen months imprisonment, a fine of up to \$7,500.00, or both.  
30 In addition, the bill would include HIV and any other related virus  
31 identified as a probable causative agent of AIDS within the diseases  
32 referred to in this offense.

**EXPLANATION - Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and intended to be omitted in the law.**

**Matter underlined thus is new matter.**

1

\_\_\_\_\_

2

3 Increases penalty for knowingly transmitting certain sexually  
4 transmitted diseases including AIDS.