

Hungarian legislation on criminalization of HIV-transmission/exposure

- Non HIV-specific law
- Criminal Code. Article 170 – Causing Bodily Harm
 - § (4) is the paragraph that would be used for transmission with intent: if the causing of bodily harm results in a permanent disability or a severe damage to health, the perpetrator can be sentenced to 1 to 5 years of prison.
 - § (6) would be used for negligence: if the causing of severe bodily harm is perpetrated by negligence but causes the results described in (4), the perpetrator can be sentenced to up to 3 years of prison.

A case of HIV-transmission

- Male living with HIV was charged with transmission
- Subtype of viruses were checked in laboratory
- As subtypes were not matching the judge acquitted the accused

A case of exposure

- Male ex-porn actors HIV-status became public
- He was charged with negligent endangering
- The case ended with acquittal as transmission did not happen and negligent endangering could not be proven.

HIV-revenge

- Ex-wife charged husband with HIV-transmission
- Direction of transmission could not be proven.
- The judge: you wouldn't find people charging you for going to community with the flu virus