

## 129th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2019

**Legislative Document** 

No. 329

H.P. 254

House of Representatives, January 24, 2019

An Act To Exempt from Criminal Liability Persons Reporting a Drug-related Medical Emergency

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

ROBERT B. HUNT Clerk

R(+ B. Hunt

Presented by Representative CARDONE of Bangor.

Cosponsored by Senator DESCHAMBAULT of York and

Representatives: BAILEY of Saco, HANDY of Lewiston, MADIGAN of Waterville,

McCREIGHT of Harpswell, SYLVESTER of Portland, Senator: CARPENTER of Aroostook.

## Be it enacted by the People of the State of Maine as follows:

Sec. 1. 17-A MRSA §1111-B is enacted to read:

## §1111-B. Exemption from criminal liability for reporting a drug-related medical emergency

A person who in good faith seeks medical assistance for another person experiencing a drug-related overdose or who is experiencing a drug-related overdose and is in need of medical assistance may not be arrested or prosecuted for a violation of section 1107-A, 1108, 1111 or 1111-A or a violation of probation as authorized by chapter 49 if the grounds for arrest or prosecution are obtained as a result of the person's seeking medical assistance or experiencing a drug-related overdose.

11 SUMMARY

This bill exempts from arrest or prosecution a person who in good faith seeks medical assistance for another person experiencing a drug-related overdose or who is experiencing a drug-related overdose and is in need of medical assistance. The person may not be arrested or prosecuted for a violation of laws prohibiting the possession of scheduled drugs, acquiring drugs by deception, the possession of hypodermic apparatuses and the use of drug paraphernalia or a violation of probation if the grounds for arrest or prosecution are obtained as a result of the person's seeking medical assistance or experiencing a drug-related overdose.