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.

Presented by Representative CARDONE of Bangor.
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.

   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 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.