

130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1862

S.P. 661

In Senate, January 5, 2022

An Act To Strengthen Maine's Good Samaritan Laws Concerning Drug-related Medical Assistance

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Judiciary suggested and ordered printed.

DAREK M. GRANT Secretary of the Senate

Presented by Senator MAXMIN of Lincoln.

Cosponsored by Senators: MOORE of Washington, POULIOT of Kennebec, Representatives: CRAFTS of Newcastle, LAROCHELLE of Augusta, McCREA of Fort Fairfield, WARREN of Hallowell.

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

Sec. 1. 17-A MRSA §1111-B, as amended by PL 2021, c. 299, Pt. C, §1 and c. 434, §8, is repealed and the following enacted in its place:

§1111-B. Exemption from criminal liability for reporting a drug-related overdose or administering naloxone

- 1. A person who in good faith seeks medical assistance for or administers naloxone hydrochloride to another person experiencing a drug-related overdose, a person who is at the location where medical assistance was sought for or where naloxone hydrochloride was administered to another person experiencing a drug-related overdose or the person who is experiencing the drug-related overdose may not be arrested or prosecuted for a crime, unless the crime is a violent crime, or for a violation of probation as authorized by chapter 67 or condition of release as authorized by Title 15, chapter 105-A, subchapter 5.
- **2.** For the purposes of this section, "violent crime" means an offense against the person as described in chapter 9; sexual exploitation of minors as described in chapter 12; kidnapping, criminal restraint and criminal forced labor as described in chapter 13; robbery as defined in section 651; sex trafficking as described in sections 852 and 853; and a sexually violent offense as defined in Title 34-A, section 11203, subsection 7.

18 SUMMARY

This bill extends the State's Good Samaritan laws by exempting from arrest or prosecution for a nonviolent offense or for a violation of probation or condition of release a person at the location of a drug-related overdose for which medical assistance was sought or naloxone was administered.