

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36
37

Date: (Filing No. S-)

Reproduced and distributed under the direction of the Secretary of the Senate.

STATE OF MAINE
SENATE
130TH LEGISLATURE
SECOND REGULAR SESSION

SENATE AMENDMENT “ ” to COMMITTEE AMENDMENT “B” to S.P. 661, L.D. 1862, “An Act To Strengthen Maine's Good Samaritan Laws Concerning Drug-related Medical Assistance”

Amend the amendment in section 1 in §1111-B in subsection 1 in paragraph B in the 2nd line (page 2, line 29 in amendment) by striking out the following: "present" and inserting the following: 'rendering aid'

Amend the amendment in section 1 in §1111-B in subsection 1 in paragraph B in the 3rd and 4th lines (page 2, lines 30 and 31 in amendment) by striking out the following: "when a medical professional or law enforcement officer arrives to provide assistance"

Amend the amendment in section 1 in §1111-B in subsection 1 by inserting after paragraph B the following:

'C. "Rendering aid" means performing any action that involves looking after a person who is experiencing a suspected drug-related overdose while the person performing the action is awaiting the arrival of a medical professional or law enforcement officer to provide assistance. "Rendering aid" includes, but is not limited to, giving first aid or administering or assisting in the administration of naloxone hydrochloride.'

Amend the amendment in section 1 in §1111-B in subsection 4 in the 2nd line (page 3, line 17 in amendment) by striking out the following: "arrest."

Amend the amendment by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

SUMMARY

This amendment amends Committee Amendment "B" in order to provide that a person is immune from arrest, prosecution and revocation and termination proceedings if the person is rendering aid at the location of the suspected drug-related overdose and removes the provision that provides that a person need only be present at that location in order to receive immunity. It defines "rendering aid" to mean performing any action that involves looking after a person who is experiencing a suspected drug-related overdose while the person performing the action is awaiting the arrival of a medical professional or law enforcement officer to provide assistance, including but not limited to giving first aid or administering or assisting in the administration of naloxone hydrochloride.

SENATE AMENDMENT

1 It retains the provision in the committee amendment that provides immunity from
2 arrest, prosecution and revocation and termination proceedings if the person in good faith
3 calls for assistance for another person experiencing a suspected drug-related overdose and
4 is at the location when a medical professional or law enforcement officer arrives.

5 The amendment also removes the provision in the committee amendment that allows a
6 criminal defendant to move that the court prior to trial determine whether the defendant is
7 immune from arrest, but retains the provision that a defendant may move that the court
8 determine prior to trial whether the defendant is immune from prosecution or revocation or
9 termination proceedings.

10 **SPONSORED BY:** _____

11 **(Senator MAXMIN, C.)**

12 **COUNTY: Lincoln**