

HOUSE BILL NO. 369

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVE PRUITT

Introduced: 2/26/14

Referred: Judiciary

A BILL

FOR AN ACT ENTITLED

1 **"An Act relating to limited immunity from criminal prosecution for a person who seeks**
2 **medical assistance for a person experiencing a drug overdose."**

3 **BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:**

4 *** Section 1.** AS 11.71 is amended by adding a new section to read:

5 **Sec. 11.71.311. Immunity from prosecution for certain persons in**
6 **connection with a drug overdose.** (a) A person may not be prosecuted for an offense
7 under this chapter if that person

8 (1) sought in good faith medical or law enforcement assistance for
9 another person who the person reasonably believed was experiencing a drug overdose
10 and

11 (A) the evidence supporting the prosecution for an offense
12 under this chapter was obtained or discovered as a result of the person seeking
13 medical or law enforcement assistance;

14 (B) the person remained at the scene with the other person until

1 medical or law enforcement assistance arrived; and

2 (C) the person cooperated with medical or law enforcement
3 personnel including by providing identification;

4 (2) was experiencing a drug overdose and sought medical assistance
5 and the evidence supporting a prosecution for an offense under this chapter was
6 obtained as a result of the overdose and the need for medical assistance.

7 (b) In this section, "drug overdose" means a controlled substance induced
8 physiological event that results in a life-threatening emergency to the person who
9 ingested, inhaled, injected, or otherwise introduced the controlled substance into the
10 body.

11 * **Sec. 2.** The uncodified law of the State of Alaska is amended by adding a new section to
12 read:

13 **APPLICABILITY.** This Act applies to offenses occurring before, on, or after the
14 effective date of this Act.