

28-LS1515\N  
Strasbaugh  
3/14/14

**CS FOR HOUSE BILL NO. 369( )**

**IN THE LEGISLATURE OF THE STATE OF ALASKA  
TWENTY-EIGHTH LEGISLATURE - SECOND SESSION**

**BY**

**Offered:**

**Referred:**

**Sponsor(s): REPRESENTATIVE PRUITT**

**A BILL**

**FOR AN ACT ENTITLED**

1 **"An Act relating to limited immunity from criminal prosecution for certain offenses for**  
2 **a person who seeks 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 a violation  
7 of AS 11.71.030(a)(3), 11.71.040(a)(3) or (4), 11.71.050(a)(2), or 11.71.060(a)(1) or  
8 (2) if that person

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

12 (A) the evidence supporting the prosecution for an offense  
13 under AS 11.71.030(a)(3), 11.71.040(a)(3) or (4), 11.71.050(a)(2), or  
14 11.71.060(a)(1) or (2) was obtained or discovered as a result of the person

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seeking medical or law enforcement assistance;

(B) the person remained at the scene with the other person until medical or law enforcement assistance arrived; and

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

(2) was experiencing a drug overdose and sought medical assistance, and the evidence supporting a prosecution for an offense under AS 11.71.030(a)(3), 11.71.040(a)(3) or (4), 11.71.050(a)(2), or 11.71.060(a)(1) or (2) was obtained as a result of the overdose and the need for medical assistance.

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

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

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