

**HOUSE BILL NO. 369**

IN THE LEGISLATURE OF THE STATE OF ALASKA

TWENTY-EIGHTH LEGISLATURE - SECOND SESSION

BY REPRESENTATIVES PRUITT, LeDoux, Millett, Foster

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.