

Introduced: 3/25/75
Referred: Health, Education &
Social Services and Judiciary

1 IN THE HOUSE

BY SMITH

2 HOUSE BILL NO. 343

3 IN THE LEGISLATURE OF THE STATE OF ALASKA

4 NINTH LEGISLATURE - FIRST SESSION

5 A BILL

6 For an Act entitled: "An Act relating to the treatment of persons
7 incapacitated by alcohol."

8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF ALASKA:

9 * Section 1. AS 47.37.170(b) is amended to read:

10 (b) A person who appears to be incapacitated by alcohol shall
11 be taken into protective custody by a peace officer or a member of
12 the emergency service patrol and immediately brought to an approved
13 public treatment facility for emergency treatment. [IF NO APPROVED
14 PUBLIC TREATMENT FACILITY IS READILY AVAILABLE HE SHALL BE TAKEN TO AN
15 EMERGENCY MEDICAL SERVICE CUSTOMARILY USED FOR INCAPACITATED PERSONS.]
16 The peace officer or a member of the emergency service patrol, in
17 detaining the person and in taking him to an approved public treatment
18 facility, is taking him into protective custody and he shall make
19 every reasonable effort to protect his health and safety. In taking
20 the person into protective custody, the detaining officer may take
21 reasonable steps to protect himself. Protective custody does not
22 constitute an arrest under this section and no entry or other record
23 shall be made to indicate that the person has been arrested or charged
24 with a crime.
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