

MAINE STATE LEGISLATURE

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129th MAINE LEGISLATURE

FIRST REGULAR SESSION-2019

Legislative Document

No. 329

H.P. 254

House of Representatives, January 24, 2019

An Act To Exempt from Criminal Liability Persons Reporting a Drug-related Medical Emergency

Reference to the Committee on Criminal Justice and Public Safety suggested and ordered printed.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative CARDONE of Bangor.
Cosponsored by Senator DESCHAMBAULT of York and
Representatives: BAILEY of Saco, HANDY of Lewiston, MADIGAN of Waterville,
McCREIGHT of Harpswell, SYLVESTER of Portland, Senator: CARPENTER of Aroostook.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 17-A MRSA §1111-B** is enacted to read:

3 **§1111-B. Exemption from criminal liability for reporting a drug-related medical**
4 **emergency**

5 A person who in good faith seeks medical assistance for another person experiencing
6 a drug-related overdose or who is experiencing a drug-related overdose and is in need of
7 medical assistance may not be arrested or prosecuted for a violation of section 1107-A,
8 1108, 1111 or 1111-A or a violation of probation as authorized by chapter 49 if the
9 grounds for arrest or prosecution are obtained as a result of the person's seeking medical
10 assistance or experiencing a drug-related overdose.

11 **SUMMARY**

12 This bill exempts from arrest or prosecution a person who in good faith seeks medical
13 assistance for another person experiencing a drug-related overdose or who is
14 experiencing a drug-related overdose and is in need of medical assistance. The person
15 may not be arrested or prosecuted for a violation of laws prohibiting the possession of
16 scheduled drugs, acquiring drugs by deception, the possession of hypodermic apparatuses
17 and the use of drug paraphernalia or a violation of probation if the grounds for arrest or
18 prosecution are obtained as a result of the person's seeking medical assistance or
19 experiencing a drug-related overdose.