

MAINE STATE LEGISLATURE

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128th MAINE LEGISLATURE

FIRST REGULAR SESSION-2017

Legislative Document

No. 1079

H.P. 757

House of Representatives, March 21, 2017

**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 KEIM of Oxford and
Representatives: AUSTIN of Skowhegan, LUCHINI of Ellsworth, McCREIGHT of Harpswell,
MOONEN 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.