

MAINE STATE LEGISLATURE

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130th MAINE LEGISLATURE

SECOND REGULAR SESSION-2022

Legislative Document

No. 1862

S.P. 661

In Senate, January 5, 2022

**An Act To Strengthen Maine's Good Samaritan Laws Concerning
Drug-related Medical Assistance**

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Judiciary suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT
Secretary of the Senate

Presented by Senator MAXMIN of Lincoln.

Cosponsored by Senators: MOORE of Washington, POULIOT of Kennebec, Representatives: CRAFTS of Newcastle, LAROCHELLE of Augusta, McCREA of Fort Fairfield, WARREN of Hallowell.

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

2 **Sec. 1. 17-A MRS §1111-B**, as amended by PL 2021, c. 299, Pt. C, §1 and c. 434,
3 §8, is repealed and the following enacted in its place:

4 **§1111-B. Exemption from criminal liability for reporting a drug-related overdose or**
5 **administering naloxone**

6 **1.** A person who in good faith seeks medical assistance for or administers naloxone
7 hydrochloride to another person experiencing a drug-related overdose, a person who is at
8 the location where medical assistance was sought for or where naloxone hydrochloride was
9 administered to another person experiencing a drug-related overdose or the person who is
10 experiencing the drug-related overdose may not be arrested or prosecuted for a crime,
11 unless the crime is a violent crime, or for a violation of probation as authorized by chapter
12 67 or condition of release as authorized by Title 15, chapter 105-A, subchapter 5.

13 **2.** For the purposes of this section, “violent crime” means an offense against the person
14 as described in chapter 9; sexual exploitation of minors as described in chapter 12;
15 kidnapping, criminal restraint and criminal forced labor as described in chapter 13; robbery
16 as defined in section 651; sex trafficking as described in sections 852 and 853; and a
17 sexually violent offense as defined in Title 34-A, section 11203, subsection 7.

18 **SUMMARY**

19 This bill extends the State's Good Samaritan laws by exempting from arrest or
20 prosecution for a nonviolent offense or for a violation of probation or condition of release
21 a person at the location of a drug-related overdose for which medical assistance was sought
22 or naloxone was administered.