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CS FOR HOUSE BILL NO. 369(JUD)

01 "An Act relating to restrictions on the criminal prosecution for
02 certain offenses for a
03 person who seeks medical assistance for a person experiencing a
04 drug overdose."

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

06 * Section 1. AS 11.71 is amended by adding a new section to
07 read:

08 Sec. 11.71.311. Restriction on prosecution for certain
09 persons in

10 connection with a drug overdose. (a) A person may not be
11 prosecuted for a violation

12 of AS 11.71.030(a)(3), 11.71.040(a)(3) or (4), 11.71.050(a)
13 (2), or 11.71.060(a)(1) or

14 (2) if that person

15 (1) sought, in good faith, medical or law
16 enforcement assistance for

17 another person who the person reasonably believed was
18 experiencing a drug overdose

19 and

20 (A) the evidence supporting the prosecution
21 for an offense

22 under AS 11.71.030(a)(3), 11.71.040(a)(3) or (4),
23 11.71.050(a)(2), or

24 11.71.060(a)(1) or (2) was obtained or discovered as a
25 result of the person

26 seeking medical or law enforcement assistance;

27 (B) the person remained at the scene with the
28 other person until

29 medical or law enforcement assistance arrived; and

30 (C) the person cooperated with medical or law
31 enforcement

32 personnel, including by providing identification;

33 (2) was experiencing a drug overdose and sought
34 medical assistance,

35 and the evidence supporting a prosecution for an offense
36 under AS 11.71.030(a)(3),

37 11.71.040(a)(3) or (4), 11.71.050(a)(2), or 11.71.060(a)(1)
38 or (2) was obtained as a

39 result of the overdose and the need for medical assistance.

40 (b) In this section, "drug overdose" means a
41 controlled-substance-induced

42 physiological event that results in a life-threatening
43 emergency to the person who

44 ingested, inhaled, injected, or otherwise introduced the
45 controlled substance into the

46 body.

47 * Sec. 2. The uncodified law of the State of Alaska is amended
48 by adding a new section to

15 read:

16 APPLICABILITY. This Act applies to offenses occurring before,
on, or after the
17 effective date of this Act.