PREFILED DEC 14 2017

REFERENCE TITLE: drug overdose; good samaritan; evidence

State of Arizona
House of Representatives
Fifty-third Legislature
Second Regular Session
2018

HB 2033

Introduced by
Representative Lawrence

AN ACT

AMENDING TITLE 13, CHAPTER 34, ARIZONA REVISED STATUTES, BY ADDING SECTION 13-3423; RELATING TO DRUG OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 13, chapter 34, Arizona Revised Statutes, is amended by adding section 13-3423, to read:

13-3423. Medical assistance requests; prohibited prosecution of Good Samaritan

A. A PERSON WHO, IN GOOD FAITH, SEEKS MEDICAL ASSISTANCE FOR SOMEONE EXPERIENCING A DRUG-RELATED OVERDOSE MAY NOT BE CHARGED WITH OR PROSECUTED FOR THE POSSESSION OR USE OF A CONTROLLED SUBSTANCE OR DRUG PARAPHERNALIA IF THE EVIDENCE FOR THE VIOLATION WAS GAINED AS A RESULT OF SEEKING MEDICAL ASSISTANCE.

B. A PERSON WHO EXPERIENCES A DRUG-RELATED OVERDOSE AND WHO IS IN NEED OF MEDICAL ASSISTANCE MAY NOT BE CHARGED WITH OR PROSECUTED FOR THE POSSESSION OR USE OF A CONTROLLED SUBSTANCE OR DRUG PARAPHERNALIA IF THE EVIDENCE FOR THE VIOLATION WAS GAINED AS A RESULT OF THE OVERDOSE AND THE NEED FOR MEDICAL ASSISTANCE.