It is enacted by the General Assembly as follows:

SECTION 1. Section 21-28.8-4 of the General Laws in Chapter 21-28.8 entitled "The Good Samaritan Overdose Prevention Act" is hereby amended to read as follows:

21-28.8-4. Emergency overdose care -- Immunity from legal repercussions. -- (a) Any person who, in good faith, without malice and in the absence of evidence of an intent to defraud seeks medical assistance for someone experiencing a drug overdose or other drug-related medical emergency shall not be charged or prosecuted for any crime under RIGL 21-28 or 21-28.5, except for a crime involving the manufacture or possession with the intent to manufacture a controlled substance or possession with intent to deliver a controlled substance, related to the possession or delivery of a controlled substance or drug paraphernalia, or the operation of a drug-involved premises, if the evidence for the charge was gained as a result of the seeking of medical assistance.

(b) A person who experiences a drug overdose or other drug-related medical emergency and is in need of medical assistance shall not be charged or prosecuted for any crime under RIGL 21-28 or 21-28.5, except for a crime involving the manufacture or possession with the intent to manufacture a controlled substance or possession with intent to deliver a controlled substance, related to the possession or delivery of a controlled substance or drug paraphernalia, or the operation of a drug-involved premises, if the evidence for the charge was gained as a result of the overdose and the need for medical assistance.
(c) The immunity related to the possession or delivery of a controlled substance or drug paraphernalia, or the operation of a drug-involved premises afforded under this section shall also extend to a violation of probation and/or parole on those grounds if the evidence for the violation was gained as a result of the seeking of medical assistance.

(d) The act of providing first aid or other medical assistance to someone who is experiencing a drug overdose or other drug-related medical emergency may be used as a mitigating factor in a criminal prosecution pursuant to the controlled substances act.

SECTION 2. Section 2 of Chapter 251 of the 2012 Public Laws entitled "An Act Relating to Food and Drugs - Good Samaritan Overdose Prevention Act" is hereby amended to read as follows:

Section 2. This act shall take effect upon passage and shall expire on July 1, 2015.

SECTION 3. Section 2 of Chapter 263 of the 2012 Public Laws entitled "An Act Relating to Food and Drugs - Good Samaritan Overdose Prevention Act" is hereby amended to read as follows:

Section 2. This act shall take effect upon passage and shall expire on July 1, 2015.

SECTION 4. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N   A C T
RELATING TO FOOD AND DRUGS - THE GOOD SAMARITAN OVERDOSE PREVENTION ACT

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1 This act would broaden the immunity from prosecution for drug offenses afforded under
2 the Good Samaritan Overdose Prevention Act to a person who in good faith seeks medical
3 assistance for a person experiencing a drug overdose.
4 This act would also repeal the sunset provision for the Good Samaritan Overdose
5 Prevention Act, so that it would not expire on July 1, 2015.
6 This act would take effect upon passage.

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