

Introduced by

Senator Anderson

Representative Rick C. Becker

1 A BILL for an Act to create and enact a new section to chapter 19-03.1 of the North Dakota  
2 Century Code, relating to immunity from criminal liability for an individual who reports a medical  
3 emergency involving drugs.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 19-03.1 of the North Dakota Century Code is created  
6 and enacted as follows:

7 **Overdose prevention and immunity.**

8 An individual is immune from criminal prosecution under sections 19-03.1-22.1,  
9 19-03.1-22.3, 19-03.1-22.5, subsection 7 of section 19-03.1-23, subsection 3 of section  
10 19-03.2-03, and section 19-03.4-03 if that individual contacted law enforcement or emergency  
11 medical services and reported that the individual was or that another individual was in need of  
12 emergency medical assistance due to a drug overdose. To receive immunity under this section,  
13 the state's attorney must find that the individual receiving immunity ~~must have~~ remained on the  
14 scene until assistance arrived and cooperated with emergency medical services and law  
15 enforcement personnel in the medical treatment of the reported drug overdosed individual and  
16 that the overdosed individual was determined to have been in need of emergency medical  
17 services. The maximum number of individuals that may be immune for any one occurrence is  
18 three individuals. Immunity from prosecution under this section is not applicable for a violation  
19 under section 19-03.1-23.1.