

SENATE BILL NO. 2070
with House Amendments
SENATE BILL NO. 2070

Sixty-fourth
Legislative Assembly
of North Dakota

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 remained on the scene until
14 assistance arrived and cooperated with emergency medical services and law enforcement
15 personnel in the medical treatment of the reported drug overdosed individual and that the
16 overdosed individual was determined to have been in need of emergency medical services. The
17 maximum number of individuals that may be immune for any one occurrence is three
18 individuals. Immunity from prosecution under this section is not applicable for a violation under
19 section 19-03.1-23.1.