

SB0476/548473/1

BY: Judicial Proceedings Committee

AMENDMENTS TO SENATE BILL 476
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “Seeking” in line 2 down through “Minors” in line 3 and substitute “Limited Immunity – Alcohol- or Drug-Related Medical Emergencies”; and strike beginning with “minor” in line 4 down through “drugs” in line 11 and substitute “person who, in good faith, seeks, provides, or assists with the provision of medical assistance for a person experiencing a medical emergency after ingesting or using alcohol or drugs shall be immune from a certain criminal prosecution if the evidence for the criminal prosecution was obtained solely as a result of a certain action; providing that a person who experiences a medical emergency after ingesting or using alcohol or drugs shall be immune from a certain criminal prosecution if the evidence for the criminal prosecution was obtained solely as a result of a certain action; establishing that the act of providing or assisting with the provision of medical assistance can be used as a certain mitigating factor; making clarifying changes; and generally relating to limited immunity for alcohol- or drug-related medical emergencies”.

AMENDMENT NO. 2

On page 1, in line 21, after “seeking” insert “, PROVIDING, OR ASSISTING WITH THE PROVISION OF”; and in line 22, after “ingesting” insert “OR USING”.

On page 2, strike in their entirety lines 1 through 19, inclusive, and substitute:

“(B) A PERSON WHO, IN GOOD FAITH, SEEKS, PROVIDES, OR ASSISTS WITH THE PROVISION OF MEDICAL ASSISTANCE FOR A PERSON EXPERIENCING A MEDICAL EMERGENCY AFTER INGESTING OR USING ALCOHOL OR DRUGS SHALL BE IMMUNE FROM CRIMINAL PROSECUTION FOR A VIOLATION OF §§ 5-601, 5-619, 10-114, 10-116, AND 10-117 OF THE CRIMINAL LAW ARTICLE IF THE

(Over)

EVIDENCE FOR THE CRIMINAL PROSECUTION WAS OBTAINED SOLELY AS A RESULT OF THE PERSON'S SEEKING, PROVIDING, OR ASSISTING WITH THE PROVISION OF MEDICAL ASSISTANCE.

(C) A PERSON WHO EXPERIENCES A MEDICAL EMERGENCY AFTER INGESTING OR USING ALCOHOL OR DRUGS SHALL BE IMMUNE FROM CRIMINAL PROSECUTION FOR A VIOLATION OF §§ 5-601, 5-619, 10-114, 10-116, AND 10-117 OF THE CRIMINAL LAW ARTICLE IF THE EVIDENCE FOR THE CRIMINAL PROSECUTION WAS OBTAINED SOLELY AS A RESULT OF ANOTHER PERSON'S SEEKING MEDICAL ASSISTANCE."