

Maryland Criminal Defense Attorneys' Association



MD House of Delegates -Judiciary Committee

February 21, 2023 1 pm

Hearing on HB 427

Criminal Law- Good Samaritan Act

Medical Emergency - Immunity

MCDAA POSITION: SUPPORT

Brief bill explanation: A person who, in good faith, seeks, provides, or assists with the provision of medical assistance for a person reasonably believed to be experiencing a medical emergency after ingesting or using alcohol or drugs must be immune from criminal arrest, charge, or prosecution for specified violations if the related evidence was obtained solely as a result of the person's seeking, providing, or assisting with the provision of medical assistance. Currently, the same immunity applies to a person who reasonably believes that the person is experiencing a medical emergency after ingesting or using alcohol or drugs. The bill specifies that this immunity applies to a person who is experiencing a medical emergency, rather than a person who reasonably believes that the person is experiencing a medical emergency.

MCDAA's Position: MCDAA supports this legislation to help protect the "good Samaritan" who, for the good of another, takes a risk of making themselves criminally responsible for a separate offense.

For additional information or questions regarding this legislation, please contact MCDAA lobbyist John Giannetti 410.300.6393, JohnGiannetti.mcdaa@gmail.com Copyright 2023, MCDAA. All rights reserved.