



THE SENATE OF MARYLAND  
ANNAPOLIS, MARYLAND 21401

**TESTIMONY by Senator C. Anthony Muse**

***SB 546: Criminal Procedure – Medical Emergency – Immunity***

Good afternoon, Mr. Chairman, Vice Chairman and members of the Senate Judicial Proceedings Committee. Senate Bill 546 does two things. First, the bill clarifies that the victim of the overdose or medical emergency is provided the same immunity from arrest, charge and prosecution as the person calling for help. This is reflected in the deletion on page 2, line 5. In a Court of Special Appeals decision filed in 2018, *Christopher Noble v. State of Maryland*, No. 2476, September Term, 2016, the Court found that the legislative intent was clear that the person who experienced the overdose was also to be covered by the immunities to the identified offenses.

The second thing the bill does is expand one of the protections. Whether intended or not, in the current law, the effect of the last section of the law is to protect the person who called for help from having their parole or probation violated if the only evidence was a result of calling for assistance.

In closing, we all know that the pandemic increased our opioid overdose crisis in the state. And SB 546 aims to address this crisis, by clarifying that the victim of an overdose or medical emergency is provided the same immunity as the person calling for help and expands that protection against parole or probation violation to the person experiencing the overdose.

Therefore, I urge this committee for a FAVORABLE report for SB 546