

1.1 moves to amend H.F. No. 2307, the second engrossment, as follows:

1.2 Page 3, line 24, after the period, insert "This subdivision does not apply if the
1.3 licensed health care professional is acting during the course of regular employment and
1.4 receiving compensation or expecting to receive compensation for those actions."

1.5 Page 3, delete section 4 and insert:

1.6 **"Sec. 4. [604A.05] GOOD SAMARITAN OVERDOSE MEDICAL ASSISTANCE.**

1.7 **Subdivision 1. Person seeking medical assistance; immunity from prosecution.**

1.8 A person acting in good faith who seeks medical assistance for another person who is
1.9 experiencing a drug overdose may not be arrested, charged, prosecuted, or penalized, or
1.10 have that person's property subject to civil forfeiture for the possession, sharing, or use
1.11 of a controlled substance or drug paraphernalia; or a violation of a condition of pretrial
1.12 release, probation, furlough, supervised release, or parole. A person qualifies for the
1.13 immunities provided in this subdivision only if: (1) the evidence for the arrest, charge,
1.14 prosecution, seizure, or penalty was obtained as a result of the person's seeking medical
1.15 assistance for another person; and (2) the person seeks medical assistance for another
1.16 person who is in need of medical assistance for an immediate health or safety concern,
1.17 provided that the person who seeks the medical assistance is the first person to seek the
1.18 assistance, provides a name and contact information, remains on the scene until assistance
1.19 arrives or is provided, and cooperates with the authorities.

1.20 **Subd. 2. Person experiencing an overdose; immunity from prosecution.** A
1.21 person who experiences a drug overdose and is in need of medical assistance may not be
1.22 arrested, charged, prosecuted, or penalized, or have that person's property subject to civil
1.23 forfeiture for: (1) the possession of a controlled substance or drug paraphernalia; or (2)
1.24 a violation of a condition of pretrial release, probation, furlough, supervised release, or
1.25 parole. A person qualifies for the immunities provided in this subdivision only if the
1.26 evidence for the arrest, charge, prosecution, seizure, or penalty was obtained as a result
1.27 of the drug overdose and the need for medical assistance.

2.1 Subd. 3. Effect on other criminal prosecutions. (a) The immunity provisions of
2.2 this section do not preclude prosecution of the person on the basis of evidence obtained
2.3 from an independent source.

2.4 (b) The act of providing first aid or other medical assistance to someone who is
2.5 experiencing a drug overdose may be used as a mitigating factor in a criminal prosecution
2.6 for which immunity is not provided.

2.7 **EFFECTIVE DATE.** This section is effective August 1, 2014, and applies to
2.8 actions arising from incidents occurring on or after that date."

2.9 Amend the title as follows:

2.10 Page 1, line 2, delete "and alcohol"

2.11 Correct the title numbers accordingly