

HOUSE BILL NO. 1404

98TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE KIRKTON.

4534H.011

D. ADAM CRUMBLISS, Chief Clerk

AN ACT

To amend chapters 195 and 579, RSMo, by adding thereto two new sections relating to the 911 Good Samaritan act, with an expiration date and effective date for certain sections.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapters 195 and 579, RSMo, are amended by adding thereto two new sections, to be known as sections 195.201 and 579.016, to read as follows:

195.201. 1. This section shall be known and may be cited as the "911 Good Samaritan Act".

2. A person acting in good faith who seeks medical assistance for an individual experiencing a drug-related overdose shall not be subject to criminal liability for possession of a controlled substance if the evidence for possession of a controlled substance was obtained as a result of the person's seeking medical assistance for an individual experiencing a drug-related overdose.

3. A person who experiences a drug-related overdose and is in need of medical assistance shall not be subject to criminal liability for possession of a controlled substance if the evidence for possession of a controlled substance was obtained as a result of the overdose and the need for medical assistance.

4. The protections against criminal liability under this section shall not be grounds for suppression of evidence in other criminal prosecutions.

579.016. 1. This section shall be known and may be cited as the "911 Good Samaritan Act".

2. A person acting in good faith who seeks medical assistance for an individual experiencing a drug-related overdose shall not be subject to criminal liability for possession

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in bold-face type in the above bill is proposed language.

5 of a controlled substance if the evidence for possession of a controlled substance was
6 obtained as a result of the person's seeking medical assistance for an individual
7 experiencing a drug-related overdose.

8 **3. A person who experiences a drug-related overdose and is in need of medical**
9 **assistance shall not be subject to criminal liability for possession of a controlled substance**
10 **if the evidence for possession of a controlled substance was obtained as a result of the**
11 **overdose and the need for medical assistance.**

12 **4. The protections against criminal liability under this section shall not be grounds**
13 **for suppression of evidence in other criminal prosecutions.**

Section B. Section 195.201 of this act shall expire December 31, 2016, and section
2 579.016 of this act shall become effective January 1, 2017.

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