



(c) This subdivision applies to one or two persons acting in concert with the person initiating contact provided all the requirements of paragraphs (a) to (c) are met.

Subd. 2. **Person experiencing sexual assault; immunity from prosecution.** (a) A sexual assault victim who is in need of assistance may not be charged or prosecuted for:

(1) the possession, sharing, or use of a controlled substance under section 152.023, subdivision 2, clauses (4) and (6), 152.024, or 152.025, or possession of drug paraphernalia; and

(2) if the victim is under the age of 21 years, the possession, purchase, or consumption of alcoholic beverages under section 340A.503.

(b) A victim qualifies for the immunities provided in this subdivision only if the evidence for the charge or prosecution was obtained as a result of the request for assistance related to the sexual assault.

Subd. 3. **Persons on probation or release.** A person's pretrial release, probation, furlough, supervised release, or parole shall not be revoked based on an incident for which the person would be immune from prosecution under subdivision 1 or 2.

Subd. 4. **Effect on other criminal prosecutions.** (a) The act of providing assistance to a sexual assault victim may be used as a mitigating factor in a criminal prosecution for which immunity is not provided.

(b) Nothing in this section shall:

(1) be construed to bar the admissibility of any evidence obtained in connection with the investigation and prosecution of other crimes or violations committed by a person who otherwise qualifies for limited immunity under this section;

(2) preclude prosecution of a person on the basis of evidence obtained from an independent source;

(3) be construed to limit, modify, or remove any immunity from liability currently available to public entities, public employees by law, or prosecutors; or

(4) prevent probation officers from conducting drug or alcohol testing of persons on pretrial release, probation, furlough, supervised release, or parole.

**EFFECTIVE DATE.** This section is effective August 1, 2018, and applies to actions arising from incidents occurring on or after that date.