

SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION

S.F. No. 3866

(SENATE AUTHORS: MORRISON, Boldon and Pha)		
DATE	D-PG	OFFICIAL STATUS
02/19/2024	11637	Introduction and first reading Referred to Judiciary and Public Safety
02/29/2024	11861	Author added Boldon
03/18/2024	12420a	Comm report: To pass as amended
	12421	Second reading
04/02/2024	13340	Author added Pha

1.1

A bill for an act

1.2

relating to public safety; providing immunity for individuals assisting another to

1.3

seek medical assistance for a drug-related overdose; amending Minnesota Statutes

1.4

2022, section 604A.05, subdivision 1.

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BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.6

Section 1. Minnesota Statutes 2022, section 604A.05, subdivision 1, is amended to read:

1.7

Subdivision 1. **Person seeking medical providing assistance; immunity from**

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prosecution. A person acting in good faith who seeks medical assistance for or acts in

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concert with a person seeking medical assistance for another person who is experiencing a

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drug-related overdose may not be charged or prosecuted for the possession, sharing, or use

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of a controlled substance under section 152.023, subdivision 2, ~~clauses (4) and (6),~~ 152.024,

1.12

or 152.025, ~~or possession of drug paraphernalia.~~ A person qualifies for the immunities

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provided in this subdivision only if:

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(1) the evidence for the charge or prosecution was obtained as a result of the person's

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seeking medical assistance for or acting in concert with a person seeking medical assistance

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for another person; and

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(2) the person seeks medical assistance for or acts in concert with a person seeking

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medical assistance for another person who is in need of medical assistance for an immediate

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health or safety concern, provided that the person ~~who seeks the medical assistance is the~~

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~~first person to seek the assistance,~~ provides a name and contact information, remains on the

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scene until assistance arrives or is provided, and cooperates with the authorities.

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Good faith does not include seeking medical assistance during the course of the execution

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of an arrest warrant or search warrant or a lawful search.

2.1

EFFECTIVE DATE. This section is effective August 1, 2024, and applies to acts

2.2

committed on or after that date.