

SENATE BILL 841

By Yager

AN ACT to amend Tennessee Code Annotated, Title 39,
Chapter 17, Part 4, relative to drug-related
overdoses.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 4, is amended by adding the following as a new, appropriately designated section:

(a) As used in this section, “drug-related overdose” has the same meaning given in § 63-1-152.

(b) A person who, in good faith, seeks, or obtains emergency medical assistance for another who was experiencing a drug-related overdose shall not be prosecuted for a violation of this part based on evidence that was acquired as a result of the person seeking or obtaining emergency medical assistance, if the person seeking medical assistance cooperated with medical, emergency responder, and law enforcement personnel, including providing identification and sharing any information about the drug-related overdose.

(c) A person who is experiencing a drug-related overdose shall not be prosecuted for a violation of this part based on evidence that was acquired as a result of the person seeking or obtaining emergency medical assistance, if the person seeking medical assistance cooperated with medical, emergency responder, and law enforcement personnel, including providing identification and sharing any information about the drug-related overdose.

(d) The limited criminal liability conferred by subsections (b) and (c) shall not be extended if law enforcement has probable cause to arrest or search or reasonable

suspicion to detain the person for criminal activity and the probable cause or reasonable suspicion is based on information obtained prior to or independent of the person taking action to seek or obtain emergency medical assistance and not obtained as a direct result of the action of seeking or obtaining emergency medical assistance. Nothing in this section shall interfere with or prevent the investigation, arrest, or prosecution of any person for alcohol or drug-related driving offenses, drug-induced homicide, or any other crime not prohibited by this part.

SECTION 2. This act shall take effect on July 1, 2015, the public welfare requiring it.