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HOUSE BILL NO. 557

Offered January 8, 2014

Prefiled January 6, 2014

A *BILL to amend the Code of Virginia by adding a section numbered 18.2-251.03, relating to safe reporting of overdoses.*

Patrons—Carr, Kory and O'Bannon

Referred to Committee for Courts of Justice

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 18.2-251.03 as follows:

§ 18.2-251.03. Safe reporting of overdoses.

A. For purposes of this section:

"Overdose" means a life-threatening condition resulting from the consumption or use of a controlled substance, a synthetic cannabinoid, alcohol, or any combination of such substances.

B. No individual who (i) in good faith seeks or obtains emergency medical attention for an individual experiencing an overdose or (ii) is experiencing an overdose and seeks or obtains emergency medical treatment shall be arrested, charged, or prosecuted for possession of a controlled substance or synthetic cannabinoid pursuant to subsection B of § 18.2-248.1:1 or § 18.2-250 or for the unlawful purchase, possession, or consumption of alcohol pursuant to § 4.1-305 if the evidence for the charge of possession of a controlled substance or synthetic cannabinoid or for the charge of the unlawful purchase, possession, or consumption of alcohol was obtained as a result of the individual seeking or obtaining emergency medical attention.

C. The limited immunity provided for in this section applies only to the offenses described in subsection B. Nothing in this section shall prohibit the use of such evidence in the prosecution of other individuals or the prosecution of an individual for an offense other than those listed in subsection B, including any offense involving the manufacture, sale, gift, or distribution or possession with the intent to manufacture, sell, give, or distribute a controlled substance or synthetic cannabinoid.

INTRODUCED

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