

1 HOUSE BILL NO. 520

2 INTRODUCED BY M. MARLER

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 4 A BILL FOR AN ACT ENTITLED: "AN ACT REVISING SEXUAL ASSAULT LAWS; CREATING A SAFE
 5 HARBOR FOR SEX WORKERS WHO ARE SEXUALLY ASSAULTED; AND AMENDING SECTION 50-32-609,
 6 MCA."

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 8 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

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 10 **Section 1.** Section 50-32-609, MCA, is amended to read:

11 **"50-32-609. Good Samaritan protections.** (1) The provisions of 45-5-626, 45-9-102, 45-9-107, and
 12 45-10-103 do not apply to:

13 (a) a person who, acting in good faith, seeks medical assistance for another person who is
 14 experiencing an actual or reasonably perceived drug-related overdose if the evidence supporting an arrest,
 15 charge, or prosecution was obtained as a result of the person's seeking medical assistance for another person;
 16 or

17 (b) a person who experiences a drug-related overdose and is in need of medical assistance if the
 18 evidence supporting an arrest, charge, or prosecution was obtained as a result of the drug-related overdose
 19 and the need for medical assistance.

20 (2) The provisions of 45-9-102, 45-9-107, and 45-10-103 do not apply to a pregnant woman seeking
 21 or receiving evaluation, treatment, or support services for a substance use disorder.

22 (3) The provisions of 45-5-601 do not apply to a person reporting a crime under 45-5-502 or 45-5-503.

23 ~~(3)~~(4) A person's pretrial release, probation, furlough, supervised release, or parole may not be
 24 revoked based on an incident for which the person would be immune from arrest, charge, or prosecution under
 25 this section.

26 ~~(4)~~(5) A person's act of providing first aid or other medical assistance to a person who is experiencing
 27 an actual or reasonably perceived drug-related overdose may be used as a mitigating factor in a criminal
 28 prosecution for which immunity is not provided under this section.

