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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2025

A N A C T

RELATING TO FOOD AND DRUGS -- THE GOOD SAMARITAN OVERDOSE
PREVENTION ACT OF 2016

Introduced By: Senator Matthew L. LaMountain

Date Introduced: March 28, 2025

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 21-28.9-4 of the General Laws in Chapter 21-28.9 entitled "The Good
2 Samaritan Overdose Prevention Act of 2016" is hereby amended to read as follows:

3 **21-28.9-4. Emergency overdose care — Immunity from legal repercussions.**

4 (a) Any person who, in good faith, without malice and in the absence of evidence of an
5 intent to defraud, seeks medical assistance for someone experiencing a drug or alcohol overdose or
6 other drug- or alcohol-related medical emergency shall not be charged or prosecuted for any crime
7 related to the possession of a controlled substance or drug paraphernalia, or the operation of a drug-
8 involved premises, if the evidence for the charge was gained as a result of the seeking of medical
9 assistance.

10 (b) A person who experiences a drug or alcohol overdose or other drug- or alcohol-related
11 medical emergency and is in need of medical assistance shall not be charged or prosecuted for any
12 crime related to the possession of a controlled substance or drug paraphernalia, possession or
13 transportation of alcohol by an underage person, or the operation of a drug-involved premises, if
14 the evidence for the charge was gained as a result of the overdose and the need for medical
15 assistance.

16 (c) The act of providing first aid or other medical assistance to someone who is
17 experiencing a drug or alcohol overdose or other drug- or alcohol-related medical emergency may
18 be used as a mitigating factor in a criminal prosecution pursuant to the controlled substances act.

1 (d) The immunity related to the possession of a controlled substance or drug paraphernalia,
2 possession or transportation of alcohol by an underage person, or the operation of a drug-involved
3 premises afforded under this section shall also extend to a violation of [bail](#), probation and/or parole
4 on those grounds.

5 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T
RELATING TO FOOD AND DRUGS -- THE GOOD SAMARITAN OVERDOSE
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- 1 This act would extend the immunity from alcohol- or drug-related offenses in cases of
2 emergency overdose care to violations of bail conditions.
3 This act would take effect upon passage.

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