

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 521

BY JUDICIARY, RULES, AND ADMINISTRATION COMMITTEE

AN ACT

1  
2 RELATING TO ALCOHOL; AMENDING CHAPTER 6, TITLE 23, IDAHO CODE, BY THE ADDI-  
3 TION OF A NEW SECTION 23-604A, IDAHO CODE, TO PROVIDE LIMITED USE IMMU-  
4 NITY TO A MINOR WHO ACTS IN GOOD FAITH AND FOR A MEDICAL EMERGENCY, TO  
5 PROVIDE REQUIREMENTS AND TO ALLOW PROSECUTION FOR OTHER CHARGES.

6 Be It Enacted by the Legislature of the State of Idaho:

7 SECTION 1. That Chapter 6, Title 23, Idaho Code, be, and the same is  
8 hereby amended by the addition thereto of a NEW SECTION, to be known and des-  
9 ignated as Section 23-604A, Idaho Code, and to read as follows:

10 23-604A. MINORS -- LIMITED USE IMMUNITY. (1) Any person under twenty-  
11 one (21) years of age who, acting in good faith and for a medical emergency:

12 (a) Is a person seeking or needs emergency medical assistance for him-  
13 self or others;

14 (b) Remains on the scene until emergency medical assistance or law en-  
15 forcement officers arrive; and

16 (c) Cooperates with emergency medical assistance and law enforcement  
17 personnel at the scene;

18 shall have limited use immunity such that evidence obtained solely as a  
19 result of the person having sought, received or rendered emergency medical  
20 services as set forth in this section may not be used against the person for  
21 any violation of section 23-604 or 23-949, Idaho Code, for consuming or pos-  
22 sessed an alcoholic beverage.

23 (2) The provisions of this section shall have no applicability to the  
24 prosecution of any criminal charges other than the consumption or possession  
25 of an alcoholic beverage by a person under twenty-one (21) years of age un-  
26 der section 23-604 or 23-949, Idaho Code, and shall not prevent a prosecution  
27 based on evidence not obtained as described in subsection (1) of this sec-  
28 tion.