**HB 852**

**Streamline the Good Samaritan Law**

*NC drug overdose rates were already high and have skyrocketed during COVID; we need all tools in the toolbox in our fight to save lives, including a better Good Samaritan law.*

**Problem**

* Our Good Samaritan (“call 911 in case of a drug overdose”) law is one of the most limited Good Samaritan laws in the country.
* We cannot advertise the law because it so complicated.
* When the Good Samaritan law was first enacted, the drug supply was not tainted with fentanyl like it is today. The main cause of overdose in NC is now fentanyl, but possession of fentanyl receives no protection under our Good Samaritan law, serving as a barrier to people calling 911.
* Methamphetamine overdose is also on the rise, but possession of methamphetamine receives no protection under our current law, serving as a barrier to calling 911.

**Solution**

* Streamline our Good Samaritan law and adopt common sense protections that many other states have already adopted to save lives.
* Provide protection for all of the types of drugs that may be possessed, as the majority of other states do. This will not provide protection for selling drugs. People will still be able to be arrested and prosecuted for selling drugs and for possession with intent to sell drugs, among many other crimes.
* Allow us to advertise this simple message: *“If you or someone you’re with calls 911 in good faith to get help for someone who has overdosed, you will be protected from arrest for drug possession and drug paraphernalia.”*

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| To strengthen our law, we need to: | | States with similar provisions include: |
| 1. | Join the **majority** of states that protect people from arrest, charge, and prosecution instead of just prosecution | GA and TN |
| 2. | Join the **majority** of states that apply immunity to drug possession charges broadly without carve-outs for type of drug or weight | KY and TN |
| 3. | Join the **majority** of states that clearly cover overdose victims calling 911 on their own behalf | GA, KY, TN, and  SC |
| 4. | Join the many states that extend immunity to other people at the scene—and not just the person who called 911 (in accordance with **CDC recommendations**) | GA, KY, and TN |
| 5. | Add protections for calling campus security to incentivize scared students to call for help | AL and PA |