

ARKANSAS SENATE
90th General Assembly - Regular Session, 2015
Amendment Form

Subtitle of Senate Bill No. 161

TO PROVIDE LIMITED IMMUNITY FROM CRIMINAL PROSECUTION FOR POSSESSION OF ALCOHOL
TO PERSONS UNDER TWENTY-ONE YEARS OF AGE WHO ACT RESPONSIBLY DURING A MEDICAL
EMERGENCY.

Amendment No. 1 to Senate Bill No. 161

Amend Senate Bill No. 161 as originally introduced:

Delete the title in its entirety and substitute the following:

"TO PROVIDE AN AFFIRMATIVE DEFENSE TO CRIMINAL PROSECUTION FOR POSSESSION OF
ALCOHOL TO PERSONS UNDER TWENTY-ONE YEARS OF AGE WHO ACT RESPONSIBLY DURING A
MEDICAL EMERGENCY; AND FOR OTHER PURPOSES."

AND

Delete the subtitle in its entirety and substitute the following:

"TO PROVIDE AN AFFIRMATIVE DEFENSE TO CRIMINAL PROSECUTION FOR POSSESSION OF
ALCOHOL TO PERSONS UNDER TWENTY-ONE YEARS OF AGE WHO ACT RESPONSIBLY DURING A
MEDICAL EMERGENCY."

AND

Page 1, delete lines 29 through 36

AND

Page 2, delete lines 1 through 9 and substitute the following:

"(g)(1) It is an affirmative defense to prosecution under this section
if a person under twenty-one (21) years of age:

(A)(i) Requests emergency medical assistance in response
to a medical emergency of another person;

(ii) Remains at the scene of the medical emergency
until the emergency medical assistance arrives; and

(iii) Cooperates with emergency medical assistance
providers and law enforcement personnel during the medical emergency;

(B) Is the recipient of emergency medical assistance
requested under this subsection; or



(C) Acts in concert with the person who requested emergency medical assistance for another person under subdivision (g)(1)(A) of this section and meets the requirements of subdivisions (g)(1)(B) and (C) of this section.

(2) The affirmative defense under this subsection is not available if the request for emergency medical assistance does not occur until after law enforcement personnel have arrived at the scene of the medical emergency."

The Amendment was read the first time, rules suspended and read the second time and _____

By: Senator J. Hutchinson

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Secretary