

REFERENCE TITLE: reasonable assistance; emergencies; Good Samaritans

State of Arizona
House of Representatives
Fifty-seventh Legislature
Second Regular Session
2026

HB 2347

Introduced by
Representatives Simacek: Abeytia, Aguilar, Blattman, Caverro, Contreras P,
Garcia, Gutierrez, Liguori, Stahl Hamilton, Villegas, Volk

AN ACT

AMENDING SECTION 13-3423, ARIZONA REVISED STATUTES; RELATING TO DRUG
OFFENSES.

(TEXT OF BILL BEGINS ON NEXT PAGE)

Be it enacted by the Legislature of the State of Arizona:

Section 1. Section 13-3423, Arizona Revised Statutes, is amended to read:

13-3423. Good Samaritans; emergency assistance; medical assistance requests; prohibited prosecution; mitigating factor; classification; definitions

A. A PERSON WHO IS AT THE SCENE OF AN EMERGENCY AND WHO KNOWS THAT ANOTHER PERSON IS EXPERIENCING A DRUG-RELATED OVERDOSE, TO THE EXTENT THAT THE PERSON CAN DO SO WITHOUT DANGER OR PERIL TO SELF OR OTHERS, SHALL GIVE REASONABLE ASSISTANCE TO THE DRUG-EXPOSED PERSON. A PERSON WHO VIOLATES THIS SUBSECTION IS GUILTY OF A PETTY OFFENSE.

~~A.~~ B. A person who, in good faith, seeks medical assistance for someone experiencing a drug-related overdose may not be charged or prosecuted for the possession or use of a controlled substance or drug paraphernalia or a preparatory offense if the evidence for the violation was gained as a result of the person's seeking medical assistance.

~~B.~~ C. A person who experiences a drug-related overdose, who is in need of medical assistance and for whom medical assistance is sought pursuant to subsection ~~A~~ B of this section may not be charged or prosecuted for the possession or use of a controlled substance or drug paraphernalia if the evidence for the violation was gained as a result of the person's overdose and need for medical assistance.

~~C.~~ D. The act of seeking medical assistance for someone who is experiencing a drug-related overdose may be used as a mitigating factor in a criminal prosecution for a violation of this chapter.

~~D.~~ E. This section does not limit either:

1. The admissibility of any evidence in connection with the investigation or prosecution of a crime with regard to a defendant who does not qualify under subsection ~~A~~ ~~or~~ B OR C of this section or with regard to any other crime.

2. The ability to seize contraband or make an arrest for any other offense.

~~E.~~ F. This section does not prohibit a person specified in subsection ~~A~~ ~~or~~ B OR C of this section from being offered a diversion program for an offense other than the possession or use of a controlled substance or drug paraphernalia or a preparatory offense.

~~F.~~ G. For the purposes of this section:

1. "Medical assistance" means aid provided by a health care professional who is licensed, registered or certified in this state, who is acting within the health care professional's scope of practice and who provides a diagnosis, treatment or other medical service.

2. "REASONABLE ASSISTANCE" INCLUDES OBTAINING OR ATTEMPTING TO OBTAIN AID FROM LAW ENFORCEMENT OR MEDICAL PERSONNEL.

~~G.~~ 3. "Seeks medical assistance" means to call 911 or otherwise contact law enforcement, poison control or a hospital emergency department.