Enrolled Copy S.B. 233

General Description: This bill modifies the Alcoholic Beverage Control Act regarding immunity from specified provisions concerning consuming and supplying alcohol. Highlighted Provisions: This bill: • provides that if a person is unlawfully intoxicated or provides alcohol to a minor, and the person seeks emergency assistance for a third party due to that party's consumption of alcohol, the person is immune from prosecution under specified circumstances, including if the person provides the person's identity and cooperates with emergency personnel and peace officers. Money Appropriated in this Bill: None Other Special Clauses: None Utah Code Sections Affected: ENACTS: 32B-4-423, Utah Code Annotated 1953 REPEALS:	REQUEST FOR EMERGENCY MEDICAL ASSISTANCE
Chief Sponsor: Curtis S. Bramble House Sponsor: Ronda Rudd Menlove LONG TITLE General Description: This bill modifies the Alcoholic Beverage Control Act regarding immunity from specified provisions concerning consuming and supplying alcohol. Highlighted Provisions: This bill: • provides that if a person is unlawfully intoxicated or provides alcohol to a minor, and the person seeks emergency assistance for a third party due to that party's consumption of alcohol, the person is immune from prosecution under specified circumstances, including if the person provides the person's identity and cooperates with emergency personnel and peace officers. Money Appropriated in this Bill: None Other Special Clauses: None Utah Code Sections Affected: ENACTS: 32B-4-423, Utah Code Annotated 1953 REPEALS:	AMENDMENTS
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29

S.B. 233 Enrolled Copy

30	Section 1. Section 32B-4-423 is enacted to read:
31	32B-4-423. Immunity regarding alcohol consumption offenses when seeking
32	emergency aid for another person.
33	(1) A law enforcement officer may not cite or arrest a person solely because of a
34	person's violation of a provision under Subsection (2) if the officer came into contact with the
35	person because:
36	(a) the person had requested or acted in concert with another person to request
37	emergency medical assistance for a third party who reasonably appeared to be in need of
38	medical care due to the consumption of alcohol;
39	(b) the officer was responding to the request for emergency medical assistance;
40	(c) the person provided to the officer the person's name and identifying information as
41	requested by the officer;
42	(d) the person remained at the location where the third party was located until
43	emergency medical response personnel arrived at the location; and
44	(e) the person cooperated with the emergency medical assistance personnel and law
45	enforcement officers at the location.
46	(2) Offenses referred to in Subsection (1) are violations of:
47	(a) Section 32B-4-403 regarding the unlawful sale, offer for sale, or furnishing of
48	alcohol to a minor;
49	(b) Subsection 32B-4-409(1) regarding the unlawful purchase, possession, or
50	consumption of alcohol by a minor; and
51	(c) Subsection 76-9-701(1) regarding intoxication when the offense involves
52	consumption of alcohol.
53	(3) An officer who declines to cite or arrest a person while acting in good faith under
54	Subsection (1) is not civilly liable.
55	Section 2. Repealer.
56	This bill repeals:
57	Section 32B-4-210, Sentencing considerations.

Enrolled Copy S.B. 233

58