

**ONE HUNDRED FIFTH LEGISLATURE - SECOND SESSION - 2018**  
**COMMITTEE STATEMENT**  
**LB923**

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**Hearing Date:** Wednesday January 31, 2018  
**Committee On:** Judiciary  
**Introducer:** Morfeld  
**One Liner:** Provide immunity for certain law enforcement employees administering naloxone and change provisions relating to immunity for persons reporting or experiencing alcohol overdoses

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**Roll Call Vote - Final Committee Action:**  
Advanced to General File

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**Vote Results:**

<b>Aye:</b>	7	Senators Baker, Ebke, Halloran, Hansen, Krist, Morfeld, Pansing Brooks
<b>Nay:</b>		
<b>Absent:</b>	1	Senator Chambers
<b>Present Not Voting:</b>		

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**Verbal Testimony:**

**Proponents:**

Senator Adam Morfeld  
Staci Witkowski

**Representing:**

Introducer  
Omaha Police Department

**Opponents:**

**Representing:**

**Neutral:**

John Lindsay

**Representing:**

Nebraska Association of Trial Attorneys

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**Summary of purpose and/or changes:**

This bill would add law enforcement employees to those shielded from civil liability relating to the administration of naloxone to a person apparently experiencing an opioid overdose. Current law already provides immunity to peace officers under such circumstances. "Law enforcement employee" is defined to include employees of law enforcement agencies, contractors to such agencies, and employees of contractors, who regularly handle, process, or are likely to come into contact with evidence or property containing opioids.

This bill would also clarify that criminal immunity for minors reporting a possible alcohol overdose results only from "a good faith request" for emergency medical assistance. The bill eliminates the requirement that such minor be the first person reporting such possible overdose in order to be shielded from criminal prosecution. The bill also provides criminal immunity for the person who is experiencing the reported possible alcohol overdose.

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Laura Ebke, Chairperson