AN ACT

RELATING TO ALCOHOL; AMENDING CHAPTER 6, TITLE 23, IDAHO CODE, BY THE ADDITION OF A NEW SECTION 23-604A, IDAHO CODE, TO PROVIDE LIMITED USE IMMUNITY TO A MINOR WHO ACTS IN GOOD FAITH AND FOR A MEDICAL EMERGENCY, TO PROVIDE REQUIREMENTS AND TO ALLOW PROSECUTION FOR OTHER CHARGES.

Be It Enacted by the Legislature of the State of Idaho:

SECTION 1. That Chapter 6, Title 23, Idaho Code, be, and the same is hereby amended by the addition thereto of a NEW SECTION, to be known and designated as Section 23-604A, Idaho Code, and to read as follows:

23-604A. MINORS -- LIMITED USE IMMUNITY. (1) Any person under twenty-one (21) years of age who, acting in good faith and for a medical emergency:

(a) Is a person seeking or needs emergency medical assistance for himself or others;

(b) Remains on the scene until emergency medical assistance or law enforcement officers arrive; and

(c) Cooperates with emergency medical assistance and law enforcement personnel at the scene;

shall have limited use immunity such that evidence obtained solely as a result of the person having sought, received or rendered emergency medical services as set forth in this section may not be used against the person for any violation of section 23-604 or 23-949, Idaho Code, for consuming or possessing an alcoholic beverage.

(2) The provisions of this section shall have no applicability to the prosecution of any criminal charges other than the consumption or possession of an alcoholic beverage by a person under twenty-one (21) years of age under section 23-604 or 23-949, Idaho Code, and shall not prevent a prosecution based on evidence not obtained as described in subsection (1) of this section.