

§9006. Prohibition on expenditure of public resources; noncooperation

1. Prohibition on expenditure of public resources. Notwithstanding any provision of state law to the contrary and except as required by federal law, a public agency, including a law enforcement agency, and an employee, appointee, officer or official or any other person acting on behalf of a public agency may not knowingly provide any information or expend or use time, money, facilities, property, equipment, personnel or other resources in furtherance of any interstate investigation or proceeding seeking to impose civil, administrative or criminal liability upon a person or entity for:

A. Legally protected health care activity; or [PL 2023, c. 648, Pt. A, §1 (NEW).]

B. Aiding and assisting legally protected health care activity. [PL 2023, c. 648, Pt. A, §1 (NEW).]

[PL 2023, c. 648, Pt. A, §1 (NEW).]

2. Noncooperation. Notwithstanding any provision of state law to the contrary and except as required by federal law, an officer or employee of a law enforcement agency, while acting under color of law, may not knowingly provide information or assistance to a federal law enforcement agency, to any law enforcement agency in another state or political subdivision of another state or to any private citizen in relation to an investigation or inquiry into services constituting legally protected health care activity or aiding and assisting legally protected health care activity.

[PL 2023, c. 648, Pt. A, §1 (NEW).]

3. No arrest. Notwithstanding any provision of state law to the contrary and except as required by federal law, arrest of a person in this State is prohibited if the arrest is related to criminal liability that is based on legally protected health care activity or aiding and assisting legally protected health care activity.

[PL 2023, c. 648, Pt. A, §1 (NEW).]

4. Exceptions. This section does not apply to a public agency, including a law enforcement agency, or an employee, appointee, officer or official or any other person acting on behalf of a public agency:

A. When responding to a warrant or extradition demand on the good faith belief that the warrant or demand is valid in this State; or [PL 2023, c. 648, Pt. A, §1 (NEW).]

B. When exigent circumstances make compliance with this section impossible. For the purposes of this paragraph, "exigent circumstances" means circumstances in which there is insufficient time to comply with this section and there is a compelling need for action due to the presence of an imminent danger to public safety. [PL 2023, c. 648, Pt. A, §1 (NEW).]

[PL 2023, c. 648, Pt. A, §1 (NEW).]

SECTION HISTORY

PL 2023, c. 648, Pt. A, §1 (NEW).

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