

Senate Bill 395

By: Senators Dixon of the 45th, Watson of the 11th, Walker III of the 20th, Strickland of the 17th and Halpern of the 39th

AS PASSED SENATE

A BILL TO BE ENTITLED

AN ACT

1 To amend Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia
2 Annotated, relating to student health in elementary and secondary education, so as to
3 authorize the possession of opioid antagonists in schools; to define a term; to authorize
4 schools to maintain a stock supply of opioid antagonists; to authorize trained school
5 personnel to administer opioid antagonists and carry opioid antagonists on their person; to
6 provide for immunity; to provide for activation of the emergency medical services system
7 and notification of emergency contacts; to provide a short title; to provide for related matters;
8 to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 This Act shall be known and may be cited as "Wesley's Law."

12 **SECTION 2.**

13 Part 3 of Article 16 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated,
14 relating to student health in elementary and secondary education, is amended by adding a
15 new Code section to read as follows:

S. B. 395

- 1 -

16 "20-2-776.5.

17 (a) As used in this Code section, the term 'opioid antagonist' means a drug that binds to
18 opioid receptors and blocks or inhibits the effect of opioids acting on those receptors,
19 including, but not limited to, naloxone, hydrochloride, or any other similarly acting drug
20 that is approved by the federal Food and Drug Administration for the treatment of an opioid
21 related overdose.

22 (b) No student, visitor, or school employee shall be prohibited from possessing an opioid
23 antagonist on school property or at a school sponsored activity.

24 (c) All local school systems or public schools, including charter schools, shall acquire and
25 maintain a supply of opioid antagonists in any secure location where an individual may
26 have an opioid overdose; provided, however, that, if there occurs a shortage of opioid
27 antagonists, the local school systems or public schools, including charter schools, shall
28 make a reasonable effort to maintain a supply of opioid antagonists. Any such supply shall
29 be maintained in accordance with the manufacturer's instructions.

30 (d) Any school personnel may administer an opioid antagonist to any person who the
31 school personnel believes in good faith to be experiencing an opioid overdose:

32 (1) While in school;

33 (2) While at a school sponsored activity;

34 (3) While under the supervision of school personnel; or

35 (4) Before or after normal school activities, such as while in before-school or
36 after-school care on school operated property.

37 (e) School personnel shall be authorized to carry an opioid antagonist on his or her person
38 while in school, at a school sponsored activity, or on school operated property.

39 (f) Any school personnel who in good faith administers or chooses not to administer an
40 opioid antagonist pursuant to this Code section shall be immune from civil liability or
41 professional discipline for any act or omission to act related to the administration of an

42 opioid antagonist, except that such immunity shall not apply to an act of willful or wanton
43 misconduct, recklessness, or gross negligence.

44 (g) Upon the administration of any opioid antagonist pursuant to this Code section, the
45 local school system or public school, including charter schools, shall immediately activate
46 the emergency medical services system and notify the student's parent, guardian, or
47 emergency contact or notify such other individual's emergency contact, if known.

48 (h) A local school system or public school, including a charter school, shall be immune
49 from civil liability for an act or omission to act related to the implementation of the
50 provisions of this Code section, except where such is willful or wanton, reckless, or grossly
51 negligent failure to comply with such provisions."

52

SECTION 3.

53 All laws and parts of laws in conflict with this Act are repealed.