

The House Committee on Education offers the following substitute to SB 395:

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 (SUB)

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 visitor or school employee shall be prohibited from possessing an opioid antagonist  
23 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 a  
51 grossly negligent failure to comply with such provisions."

52 **SECTION 3.**

53 All laws and parts of laws in conflict with this Act are repealed.