

SENATE BILL 139

F2, J1

8lr0585

By: **Senators Conway and Miller**

Introduced and read first time: January 12, 2018

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 6, 2018

CHAPTER _____

1 AN ACT concerning

2 **Higher Education – Heroin and Opioid Addiction and Prevention Policies –**
3 **Exceptions and Revisions**

4 FOR the purpose of exempting certain institutions of higher education and certain locations
5 of certain institutions from certain requirements relating to heroin and opioid
6 addiction and prevention policies; requiring certain institutions to provide certain
7 students with certain resources; and generally relating to policies that address
8 heroin and opioid addiction and prevention.

9 BY repealing and reenacting, with amendments,
10 Article – Education
11 Section 11–1201 and 11–1202
12 Annotated Code of Maryland
13 (2014 Replacement Volume and 2017 Supplement)

14 BY repealing and reenacting, without amendments,
15 Article – Education
16 Section 11–1203
17 Annotated Code of Maryland
18 (2014 Replacement Volume and 2017 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
20 That the Laws of Maryland read as follows:

21 **Article – Education**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 11-1201.

2 (A) [This] **EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION, THIS**
 3 subtitle applies only to institutions of higher education in the State that receive operating
 4 or capital funding from the State.

5 (B) (1) **EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS SUBSECTION,**
 6 **THIS SUBTITLE DOES NOT APPLY TO:**

7 (I) **THE UNIVERSITY OF MARYLAND, UNIVERSITY COLLEGE;**

8 (II) **THE UNIVERSITY OF MARYLAND CENTER FOR**
 9 **ENVIRONMENTAL SCIENCE; OR**

10 (III) **AN OFF-CAMPUS NONRESIDENTIAL LOCATION OF AN**
 11 **INSTITUTION OF HIGHER EDUCATION.**

12 (2) **EACH INSTITUTION DESCRIBED UNDER PARAGRAPH (1) OF THIS**
 13 **SUBSECTION SHALL PROVIDE ALL STUDENTS WITH RESOURCES THAT ALERT AND**
 14 **EDUCATE THE STUDENTS REGARDING HEROIN AND OPIOID ADDICTION AND**
 15 **PREVENTION.**

16 11-1202.

17 (a) Each institution of higher education shall establish a policy that addresses
 18 heroin and opioid addiction and prevention.

19 (b) [(1)] The policy established under this subtitle shall require **EACH**
 20 **INSTITUTION TO:**

21 [(i)] (1) [Except as provided in paragraph (2) of this subsection,
 22 incoming] **REQUIRE INCOMING** full-time students to participate in an in-person heroin
 23 and opioid addiction and prevention awareness training, unless in-person training is
 24 impracticable, then to participate in an electronic heroin and opioid addiction and
 25 prevention awareness training;

26 [(ii)] (2) [Each institution to provide] **PROVIDE** incoming
 27 part-time students with resources that alert and educate the students regarding heroin
 28 and opioid addiction and prevention; and

29 [(iii)] (3) [Except as provided in paragraph (2) of this subsection,
 30 each institution to obtain] **OBTAIN** and store at the institution naloxone or other
 31 overdose-reversing medication to be used in an emergency situation.

1 [(2) The requirements of paragraph (1)(i) and (iii) of this subsection do not
2 apply to:

- 3 (i) The University of Maryland, University College;
- 4 (ii) The University of Maryland Center for Environmental Science;
- 5 or
- 6 (iii) An off-campus location of an institution of higher education.]

7 11-1203.

8 (a) The policy established under this subtitle shall include:

- 9 (1) Training for campus police or other designated personnel on how to
- 10 recognize the symptoms of an opioid overdose;
- 11 (2) Procedures for the administration of naloxone or other
- 12 overdose-reversing medications; and
- 13 (3) The proper follow-up emergency procedures.

14 (b) Except for any willful or grossly negligent act, campus police or other
15 designated personnel who have been trained under subsection (a)(1) of this section and who
16 respond in good faith to the overdose emergency of a student in accordance with this section
17 may not be held personally liable for any act or omission in the course of responding to the
18 emergency.

19 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect June
20 1, 2018.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.