

## HOUSE BILL No. 2489

By Representatives Proctor, Hoheisel and Sweely

1-21

1 AN ACT concerning school districts; relating to drug abuse education  
2 programs; requiring school districts to provide fentanyl abuse education  
3 programs; mandating school districts to maintain a supply of naloxone  
4 in all schools; authorizing the attorney general to expend moneys from  
5 the Kansas fights addiction fund for grants to school districts for such  
6 naloxone; amending K.S.A. 2025 Supp. 75-777 and repealing the  
7 existing section.  
8

9 *Be it enacted by the Legislature of the State of Kansas:*

10 New Section 1. (a) The state board of education shall develop  
11 guidance for age-appropriate instruction on the prevention of the abuse of  
12 and addiction to fentanyl and other opioids. Such guidance shall be  
13 distributed to each school district.

14 (b) The board of education of each school district shall develop  
15 fentanyl abuse education programs based on the guidance provided by the  
16 state board of education. Such programs shall be provided to all students  
17 enrolled in grades nine through 12 and include instruction on the  
18 prevention of the abuse of and addiction to fentanyl and other opioids and  
19 the awareness of school and community resources available to help with  
20 abuse and addiction issues.

21 (c) Fentanyl abuse education programs may be provided as a part of  
22 any other drug abuse awareness and prevention program. A school district  
23 may work in cooperation with public or private third-party organizations  
24 or law enforcement agencies to deliver such programs.

25 New Sec. 2. (a) Each school operated by a school district shall  
26 maintain a stock supply of naloxone.

27 (b) A stock supply of naloxone may consist of one or more standard-  
28 dose prepackaged nasal spray devices. A school nurse or designated school  
29 personnel may administer such naloxone in an emergency situation to any  
30 individual who displays the signs and symptoms of opioid overdose at  
31 school, on school property or at a school-sponsored event if such school  
32 nurse or designated school personnel reasonably believes that an  
33 individual is exhibiting the signs and symptoms of an overdose.

34 (c) The board of education of each school district shall establish  
35 policies and procedures relating to:

36 (1) Storage of naloxone that require that such medication is stored:

1 (A) In a safe location that is readily accessible to the school nurse or  
2 designated school personnel; and

3 (B) in accordance with manufacturer temperature recommendations;

4 (2) periodic monitoring of the inventory and expiration dates of such  
5 medication; and

6 (3) administration of such medication by designated school  
7 personnel.

8 (d) Each school district shall publish information related to policies  
9 and procedures for the administration of naloxone.

10 (e) A school district may accept monetary gifts, grants and donations  
11 to carry out the provisions of this section or may accept naloxone nasal  
12 spray devices from a manufacturer or wholesaler.

13 (f) As used in this section:

14 (1) "Designated school personnel" means an employee, officer, agent  
15 or volunteer of a school who is authorized by the board of education of the  
16 school district to administer naloxone on a voluntary basis outside of the  
17 scope of employment.

18 (2) "School nurse" means a registered nurse licensed by the board of  
19 nursing to practice nursing in Kansas or a licensed practical nurse working  
20 under a registered nurse who is employed by a school to perform nursing  
21 services in a school setting.

22 (3) "Stock supply" means an appropriate quantity of naloxone as  
23 recommended by a school nurse.

24 Sec. 3. K.S.A. 2025 Supp. 75-777 is hereby amended to read as  
25 follows: 75-777. (a) Notwithstanding any other provision of law to the  
26 contrary, the attorney general shall remit to the state treasurer in  
27 accordance with K.S.A. 75-4215, and amendments thereto, all moneys that  
28 are received by the state pursuant to opioid litigation in which the attorney  
29 general is involved that is dedicated by the terms of such litigation for the  
30 abatement or remediation of substance abuse or addiction. Upon receipt of  
31 each such remittance, the state treasurer shall deposit the entire amount  
32 into the state treasury. The state treasurer shall credit 75% of each such  
33 deposit to the Kansas fights addiction fund and 25% of each such deposit  
34 to the municipalities fight addiction fund.

35 (b) There is hereby established in the state treasury the Kansas fights  
36 addiction fund, and such fund shall be administered by the attorney  
37 general. Except as provided in subsection (c), moneys in the Kansas fights  
38 addiction fund shall be expended: (1) Subject to any agreement authorized  
39 under K.S.A. 2025 Supp. 75-778(d), and amendments thereto, for grants  
40 approved by the Kansas fights addiction grant review board created by  
41 K.S.A. 2025 Supp. 75-778, and amendments thereto, to qualified  
42 applicants for projects and activities that prevent, reduce, treat or mitigate  
43 the effects of substance abuse and addiction; and (2) for grants approved

1 *by the attorney general to school districts for the purchase of stock*  
2 *supplies of naloxone as described in section 2, and amendments thereto.*  
3 Any such expenditure for a grant shall not be used to supplant any other  
4 source of funding. No moneys shall be expended from the Kansas fights  
5 addiction fund for the payment of litigation costs, expenses or attorney  
6 fees related to opioid litigation.

7 (c) On July 1 of each year, or as soon thereafter as moneys are  
8 available, the director of accounts and reports shall transfer \$200,000 from  
9 the Kansas fights addiction fund to the prescription monitoring program  
10 fund established by K.S.A. 2025 Supp. 65-1694a, and amendments  
11 thereto. For any fiscal year, if there are insufficient unencumbered moneys  
12 in the Kansas fights addiction fund to make such transfer, no transfer shall  
13 be made under this subsection for such fiscal year.

14 (d) (1) There is hereby established in the state treasury the  
15 municipalities fight addiction fund, and such fund shall be administered by  
16 the attorney general to disburse funds to municipalities. Moneys in the  
17 municipalities fight addiction fund shall be expended subject to an  
18 agreement between the attorney general, the Kansas association of  
19 counties and the league of Kansas municipalities for projects and activities  
20 that prevent, reduce, treat or mitigate the effects of substance abuse and  
21 addiction or to reimburse the municipality for previous expenses related to  
22 substance abuse mitigation or arising from covered conduct. Moneys may  
23 also be used to reimburse municipalities for the payment of litigation  
24 costs, expenses or attorney fees related to opioid litigation, except that a  
25 municipality shall first seek payment from applicable outside settlement  
26 sources or settlement fee funds prior to seeking payment from the  
27 municipalities fight addiction fund.

28 (2) An agreement between the attorney general, the Kansas  
29 association of counties and the league of Kansas municipalities shall  
30 determine the method for disbursing moneys from the fund, and such  
31 moneys shall be disbursed to municipalities that have not filed opioid  
32 litigation and municipalities that have filed opioid litigation and have  
33 entered into an agreement with the attorney general prior to January 1,  
34 2022, that releases the municipality's legal claims arising from covered  
35 conduct to the attorney general and assigns any future legal claims arising  
36 from covered conduct to the attorney general.

37 (e) All expenditures from the Kansas fights addiction fund and the  
38 municipalities fight addiction fund shall be made in accordance with  
39 appropriation acts upon warrants of the director of accounts and reports  
40 pursuant to vouchers approved by the attorney general or the attorney  
41 general's designee.

42 Sec. 4. K.S.A. 2025 Supp. 75-777 is hereby repealed.

43 Sec. 5. This act shall take effect and be in force from and after its

- 1 publication in the statute book.