

As Amended by House Committee

Session of 2026

HOUSE BILL No. 2489

By Representatives Proctor, Hoheisel and Sweely

1-21

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

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

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

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

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

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

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

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

- 1 (1) Storage of naloxone that require that such medication is stored:
- 2 (A) In a safe location that is readily accessible to the school nurse or
- 3 designated school personnel; and
- 4 (B) in accordance with manufacturer temperature recommendations;
- 5 (2) periodic monitoring of the inventory and expiration dates of such
- 6 medication; and
- 7 (3) administration of such medication by designated school
- 8 personnel.
- 9 (d) Each school district shall publish information related to policies
- 10 and procedures for the administration of naloxone.
- 11 (e) A school district may accept monetary gifts, grants and donations
- 12 to carry out the provisions of this section or may accept naloxone nasal
- 13 spray devices from a manufacturer or wholesaler.
- 14 (f) As used in this section:
- 15 (1) "Designated school personnel" means an employee, officer, agent
- 16 or volunteer of a school who is authorized by the board of education of the
- 17 school district to administer naloxone on a voluntary basis outside of the
- 18 scope of employment.
- 19 (2) "School nurse" means a registered nurse licensed by the board of
- 20 nursing to practice nursing in Kansas or a licensed practical nurse working
- 21 under a registered nurse who is employed by a school to perform nursing
- 22 services in a school setting.
- 23 (3) "Stock supply" means an appropriate quantity of naloxone as
- 24 recommended by a school nurse.
- 25 ~~Sec. 3. K.S.A. 2025 Supp. 75-777 is hereby amended to read as~~
- 26 ~~follows: 75-777. (a) Notwithstanding any other provision of law to the~~
- 27 ~~contrary, the attorney general shall remit to the state treasurer in~~
- 28 ~~accordance with K.S.A. 75-4215, and amendments thereto, all moneys that~~
- 29 ~~are received by the state pursuant to opioid litigation in which the attorney~~
- 30 ~~general is involved that is dedicated by the terms of such litigation for the~~
- 31 ~~abatement or remediation of substance abuse or addiction. Upon receipt of~~
- 32 ~~each such remittance, the state treasurer shall deposit the entire amount~~
- 33 ~~into the state treasury. The state treasurer shall credit 75% of each such~~
- 34 ~~deposit to the Kansas fights addiction fund and 25% of each such deposit~~
- 35 ~~to the municipalities fight addiction fund.~~
- 36 ~~(b) There is hereby established in the state treasury the Kansas fights~~
- 37 ~~addiction fund, and such fund shall be administered by the attorney~~
- 38 ~~general. Except as provided in subsection (c), moneys in the Kansas fights~~
- 39 ~~addiction fund shall be expended: (1) Subject to any agreement authorized~~
- 40 ~~under K.S.A. 2025 Supp. 75-778(d), and amendments thereto, for grants~~
- 41 ~~approved by the Kansas fights addiction grant review board created by~~
- 42 ~~K.S.A. 2025 Supp. 75-778, and amendments thereto, to qualified~~
- 43 ~~applicants for projects and activities that prevent, reduce, treat or mitigate~~

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

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

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

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

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

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

1 Sec.~~5~~ **3.** This act shall take effect and be in force from and after its
2 publication in the statute book.