

As Amended by House Committee

Session of 2026

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 **local health departments** or law enforcement agencies to deliver such
25 programs.

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

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

35 (c) The board of education of each school district shall establish
36 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 See. 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 See. 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.