

1-1 By: Wilson, Garcia (Senate Sponsor - Creighton) H.B. No. 3908
 1-2 (In the Senate - Received from the House May 10, 2023;
 1-3 May 11, 2023, read first time and referred to Committee on
 1-4 Education; May 21, 2023, reported favorably by the following vote:
 1-5 Yeas 11, Nays 0; May 21, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18			X	
1-19	X			
1-20	X			

1-21 A BILL TO BE ENTITLED
 1-22 AN ACT

1-23 relating to fentanyl abuse prevention and drug poisoning awareness
 1-24 education in public schools.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. This Act may be cited as Tucker's Law.

1-27 SECTION 2. Subchapter 2, Chapter 29, Education Code, is
 1-28 amended by adding Section 29.9074 to read as follows:

1-29 Sec. 29.9074. FENTANYL POISONING AWARENESS WEEK. (a) To
 1-30 educate students about the dangers posed by the drug fentanyl and
 1-31 the risks of fentanyl poisoning, including overdose, the governor
 1-32 shall designate a week to be known as Fentanyl Poisoning Awareness
 1-33 Week in public schools.

1-34 (b) Fentanyl Poisoning Awareness Week may include
 1-35 age-appropriate instruction, including instruction on the
 1-36 prevention of the abuse of and addiction to fentanyl, as determined
 1-37 by each school district.

1-38 SECTION 3. Subchapter A, Chapter 38, Education Code, is
 1-39 amended by adding Section 38.040 to read as follows:

1-40 Sec. 38.040. FENTANYL ABUSE PREVENTION AND DRUG POISONING
 1-41 AWARENESS EDUCATION. (a) Each school district shall annually
 1-42 provide research-based instruction related to fentanyl abuse
 1-43 prevention and drug poisoning awareness to students in grades 6
 1-44 through 12.

1-45 (b) The instruction required by this section must include:

1-46 (1) suicide prevention;

1-47 (2) prevention of the abuse of and addiction to
 1-48 fentanyl;

1-49 (3) awareness of local school and community resources
 1-50 and any processes involved in accessing those resources; and

1-51 (4) health education that includes information about
 1-52 substance use and abuse, including youth substance use and abuse.

1-53 (c) The instruction required by this section may be provided
 1-54 by an entity or an employee or agent of an entity that is:

1-55 (1) a public or private institution of higher
 1-56 education;

1-57 (2) a library;

1-58 (3) a community service organization;

1-59 (4) a religious organization;

1-60 (5) a local public health agency; or

1-61 (6) an organization employing mental health

2-1 professionals.

2-2 SECTION 4. Section 38.351, Education Code, is amended by
2-3 adding Subsection (g-1) to read as follows:

2-4 (g-1) A school district may satisfy a requirement to
2-5 implement a program in the area of substance abuse prevention and
2-6 intervention by providing instruction related to youth substance
2-7 use and abuse education under Section 38.040.

2-8 SECTION 5. This Act applies beginning with the 2023-2024
2-9 school year.

2-10 SECTION 6. This Act takes effect immediately if it receives
2-11 a vote of two-thirds of all the members elected to each house, as
2-12 provided by Section 39, Article III, Texas Constitution. If this
2-13 Act does not receive the vote necessary for immediate effect, this
2-14 Act takes effect September 1, 2023.

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