

By: Wilson, et al.

H.B. No. 3908

A BILL TO BE ENTITLED

AN ACT

relating to fentanyl abuse prevention and drug poisoning awareness education in public schools.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

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

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

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

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

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

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

- 1 (1) suicide prevention;
- 2 (2) prevention of the abuse of and addiction to
- 3 fentanyl;
- 4 (3) awareness of local school and community resources
- 5 and any processes involved in accessing those resources; and
- 6 (4) health education that includes information about
- 7 substance use and abuse, including youth substance use and abuse.

8 (c) The instruction required by this section may be provided
9 by an entity or an employee or agent of an entity that is:

- 10 (1) a public or private institution of higher
- 11 education;
- 12 (2) a library;
- 13 (3) a community service organization;
- 14 (4) a religious organization;
- 15 (5) a local public health agency; or
- 16 (6) an organization employing mental health
- 17 professionals.

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

20 (g-1) A school district may satisfy a requirement to
21 implement a program in the area of substance abuse prevention and
22 intervention by providing instruction related to youth substance
23 use and abuse education under Section 38.040.

24 SECTION 5. This Act applies beginning with the 2023-2024
25 school year.

26 SECTION 6. This Act takes effect immediately if it receives
27 a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this
2 Act does not receive the vote necessary for immediate effect, this
3 Act takes effect September 1, 2023.