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2024

# State Legislative Round-Up

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CURRENT AS OF JULY 16, 2024

## 2024 STATE LEGISLATIVE ROUNDUP

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### Center for Addiction and Public Policy

The O’Neill Institute for National and Global Health Law facilitates strategic health partnerships to ensure effective health policies and laws in the United States and around the world. The Center for Addiction and Public Policy works at the intersection of public health and the law to advance a public health approach to substance use disorder.

Throughout the 2024 state legislative session, the Center for Addiction and Public Policy tracked legislation related to the overdose epidemic and substance use disorder (SUD) broadly. The 2024 legislative sessions have adjourned in 36 states, and the round-up summarizes significant legislation related to addiction policy passed this year with respect to opioid litigation funds, medication for opioid use disorder (MOUD), Opioid Treatment Programs (OTPs), naloxone, Syringe Services Programs (SSPs), fentanyl test strips, MOUD in carceral settings, and enhanced sentencing. For states still in session, significant pending legislation within these sub-topics is provided. State legislation this year has followed a law enforcement-focused trend, with multiple states passing laws increasing drug-related penalties and creating new drug-related crimes. The Center for Addiction and Public Policy has published a Quick Take describing major legislation passed by state legislatures this year.

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#### Acknowledgments

#### LAPPA

*Legislative Analysis and  
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## ALABAMA

Adjourned May 9, 2024

**SJR51** continues the Alabama Opioid Overdose and Addiction Council, which was established by Executive Order No. 708, allowing the council to continue studying the opioid crisis in Alabama. This law went into effect on April 29, 2024.

**HJR21** amends HJR204 (which created the 16-member Oversight Commission on Alabama Opioid Settlement Funds) to increase the membership of the commission. This law went into effect on April 24, 2024.

**HB479** appropriates funds from the Opioid Treatment and Abatement Fund for purposes including the expansion of medication for opioid use disorder (MOUD) in state prisons. This law went into effect on May 17, 2024.

**HB280** requires research-based instruction on fentanyl prevention and drug poisoning awareness in grades 6-12. This law went into effect on June 1, 2024.

**HB10** makes the selling and distribution of a controlled substance containing fentanyl or any mixture of fentanyl that results in death from the use of the controlled substance a crime of manslaughter. This law went into effect on April 24, 2024.

**SB240/**HB359 authorizes a probate judge to involuntarily commit an individual with a substance use disorder that occurs secondarily to a primary diagnosis of one or more mental illnesses. This law goes into effect on January 1, 2025.



## ALASKA

Adjourned May 15, 2024

**HB66** sets forth the crime of second-degree murder in situations involving a controlled substance that results in the death of another person. This law goes into effect on January 1, 2025.



## ARIZONA

Adjourned June 15, 2024

**HB2245** sets forth sentencing requirements involving the sale of fentanyl in an amount of at least two hundred grams. The minimum sentence is five calendar years, with a maximum sentence of 15 calendar years. The law went into effect on April 2, 2024.



## ARKANSAS

Adjourned May 9, 2024



## CALIFORNIA

Adjourns August 30, 2024



## COLORADO

Adjourned May 8, 2024

**HB1003** requires schools, school districts, or the state charter school institute to allow students to possess or administer an opioid antagonist on school grounds, on a school bus, or at school-sponsored events, and to possess a non-laboratory synthetic opiate detection test. The law also protects students from civil and criminal liability. This law takes effect at 12:01 a.m. on the day following the expiration of the 90-day period after the final adjournment of the general assembly.



## CONNECTICUT

Adjourned May 8, 2024



## DELAWARE

Adjourned June 30, 2024



## FLORIDA

Adjourned March 8, 2024

**HB1425** authorizes certain employees of the Department of Juvenile Justice and contracted providers to possess and administer opioid antagonists and provides immunity from liability for administration. This law took effect on July 1, 2024.

**SB718** provides criminal penalties for adults who, in the course of unlawfully possessing specified controlled substances, recklessly expose a first responder to such substances and an overdose or serious bodily injury of the first responder results. The law provides immunity for a person acting in good faith who seeks medical assistance for an individual experiencing an overdose. This law takes effect on October 1, 2024.



## GEORGIA

Adjourned March 28, 2024

**SB465** sets forth the offense of aggravated involuntary manslaughter when the illicit manufacture or selling of a substance that contains fentanyl causes the overdose of another person. This law went into effect on April 30, 2024.

**SB395** authorizes the possession of opioid antagonists in schools and authorizes schools to maintain a supply of opioid antagonists. The law also repeals the requirement that an opioid antagonist must have a prescription in order for the individual administering it to have civil, criminal, and professional immunity.



## HAWAII

Adjourned May 3, 2024

**SR52 / SCR64** resolution urges the state and its counties to prioritize and direct all available resources to supporting coordinated interagency collaboration and public-private partnerships aimed at addressing the ongoing fentanyl epidemic.



## IDAHO

Adjourned April 10, 2024

**HB441** amends existing law to revise the definition of “drug paraphernalia” to exclude fentanyl test strips or equipment intended for use in identifying whether a controlled substance contains fentanyl, a fentanyl analog, or any fentanyl derivative. This law went into effect on July 1, 2024.

**HB406** sets forth the crimes of “trafficking in fentanyl” and “drug-induced homicide.” The law also imposes fixed minimum sentences, including an “indeterminate term of life” and a maximum fine of \$25,000 for the crime of drug-induced homicide. This law went into effect on July 1, 2024.

**HB617** repeals existing law, the Syringe and Needle Exchange Act. The Syringe and Needle Exchange Act allowed an entity to operate a syringe and needle exchange program in Idaho. This law went into effect on July 1, 2024.



## ILLINOIS

Legislature meets year-round

**SB3779** would amend the Clinical Social Work and Social Work Practice Act and the Good Samaritan Act to provide that a licensed clinical social worker or licensed social worker may possess and administer opioid antagonists in their professional capacity. This bill passed the Illinois House and Senate and was sent to the governor on June 21, 2024.

**SB3419** was introduced this year. This bill would amend the Unified Code of Corrections to require the Department of Corrections to ensure that all incarcerated persons are screened for OUD; for those with an OUD, the department must then offer or facilitate access to medication-assisted treatment. This law has not passed.

**HB5527** was introduced this year to amend the County Department of Corrections Division of the Counties Code, the Unified Code of Corrections, and the County Jail Act. The bill would require that incarcerated persons who were incarcerated for drug-related charges or who were identified as having an SUD be provided with an opioid antagonist upon release. This law has not passed.



## ILLINOIS

Legislature meets year-round

**SB3350** was introduced this year, which would amend the Substance Use Disorder Act to authorize the Department of Public Health to establish programs for the dispensing and distribution of fentanyl test strips. The law would remove the requirement that every law enforcement agency and fire department responding to emergency medical calls possess fentanyl test strips. The law would also require syringe services programs to make fentanyl test strips available if feasible. This bill passed in the Illinois House and Senate and was sent to the governor on June 14, 2024.



## INDIANA

Adjourned March 14, 2024



## IOWA

Adjourned April 20, 2024



## KANSAS

Adjourned April 30, 2024

**SB414** requires that individuals on a third or subsequent conviction of driving under the influence participate in a multidisciplinary model of services for substance use disorder. The law also increases the criminal penalties for aggravated endangerment of a child in situations involving fentanyl. This law goes into effect following its publication in the Kansas Register.

**HB2547** amends existing law relating to the definition of “fentanyl-related controlled substance” and the substances in schedules I, II, IV, and V of the Uniform Controlled Substances Act. This law goes into effect after its publication in the statute book.



## KENTUCKY

Adjourned April 15, 2024

**HB5** amends Kentucky Revised Statutes to include the sale or distribution of fentanyl that causes the death of another person within the definition of manslaughter. This law goes into effect on August 1, 2025.

**HB534** amends KRS 205.536 to prohibit the Department for Medicaid Services or a Medicaid managed care organization from requiring or using certain utilization reviews for prescription drugs that contain an opioid antagonist. This law goes into effect on January 1, 2025.



## LOUISIANA

Adjourned June 3, 2024

**SB163** provides that the Interagency Heroin and Opioid Coordination Plan be submitted annually to the board, governor, president of the Senate, speaker of the House, and the chief justice of the Louisiana Supreme Court by March 15 to reflect the data from the previous calendar year. This law went into effect on May 22, 2024.

**HB456** requires schools to adopt policies regarding the administration of naloxone, provide for the administration of such medications in schools, and train school personnel. This law went into effect on August 1, 2024.

**HB720 / HB8** sets forth criminal penalties with respect to the unlawful distribution of fentanyl and fentanyl-containing substances where the fentanyl or packaging of the fentanyl reasonably appears to a minor and where the fentanyl or packaging of the fentanyl is designed to resemble branded prescription medication. This law went into effect on August 1, 2024.



## MAINE

Adjourned May 10, 2024



## MARYLAND

Adjourned April 8, 2024

**HB980 / SB751** requires the state’s secretary of health to present decisions for the allocation of money from the Opioid Restitution Fund to the Opioid Restitution Fund Advisory Council and to make the expenditures of the funds available to the public. This law goes into effect on October 1, 2024.

**HB411** requires the Maryland Department of Health to report to committees of the general assembly on opioid overdose reversal drugs and standing orders. This law goes into effect on October 1, 2024.

**HB1155 / SB1071** requires hospitals to establish protocols and capacity related to patients who are being treated for an opioid-related overdose. It also requires hospitals to make referrals for patients who are diagnosed with OUD or who are administered or prescribed MOUD. This law goes into effect on January 1, 2025.

**SB1099** requires the State Emergency Medical Services Board to develop and implement an initiative under the Public Access Automated External Defibrillator Program to require naloxone to be co-located with each automated external defibrillator in a public building. The law also establishes immunity from liability for owners and operators of public buildings who provide naloxone. The initiative must be funded by the Opioid Restitution Fund, which is appropriated through the state budget. This law goes into effect on October 1, 2024.



## MASSACHUSETTS

Legislature meets year-round



## MICHIGAN

Legislature meets year-round



## MINNESOTA

Adjourned May 20, 2024

**SF4104 / HF4104** was introduced this year, which would modify rules on opioid treatment program medication dispensing for take-home uses. The law amends provisions relative to unsupervised use to allow for individualized take-home doses in alignment with 42 CFR Part 8. This law has not been passed.



## MISSISSIPPI

Adjourned May 14, 2024

**HB1137** authorizes a practitioner acting in good faith to prescribe an opioid antagonist to a community organization and the administration of an opioid antagonist that was distributed by a community organization. The law authorizes the storage and distribution of opioid antagonists by community organizations or “high-risk opioid overdose touchpoints.” The law also provides protection from criminal and civil liability to community organizations and members of such organizations. This law went into effect on May 8, 2024.

**HB1705** directs the state treasurer to create new special funds in the state treasury to be known as the Opioid Settlement Fund. This law went into effect on May 13, 2024.



## MISSOURI

Adjourned May 30, 2024



## MONTANA

No regular session in 2024



## NEBRASKA

Adjourned April 18, 2024

**LB307** would have authorized syringe services programs and provided for exceptions to penalties under the Uniform Controlled Substances Act. The governor of Nebraska returned the bill without approval.

**LB1355** restates the purpose and findings of the Opioid Prevention and Treatment Act and creates, renames, and provides for additional uses and distribution of funds. The law declares an emergency and provides for research, support, and training for first responders and staff to carry out the Overdose Fatality Review Teams Act. This law went into effect on April 18, 2024.



## NEVADA

No regular session in 2024



## NEW HAMPSHIRE

Adjourned June 28, 2024

**HB397** prohibits possession of hypodermic syringes or needles by minors and clarifies the circumstances under which a minor may be in possession of a hypodermic needle or syringe, including when the minor has a prescription. This law goes into effect on January 1, 2025.



## NEW JERSEY

Legislature meets year-round



## NEW MEXICO

Adjourned February 15, 2024



## NEW YORK

Legislature meets year-round

**SB8061** amends existing law related to the dispensing of drug adulterant testing supplies and removes the requirement that supplies be limited to medical offices and health care facilities. The bill was signed into law on January 26, 2024.



## NORTH CAROLINA

Adjourns July 31, 2024

**SB843** would restrict the sale of vapor products near childcare facilities, schools, certain institutions of higher education, and religious places of worship. The law also creates a “fentanyl misuse task force” and appropriates funds to the Department of Health and Human Services and the Division of Public Health to purchase opioid antagonists for local health departments. This law has not been passed.

**HB999 / SB801** would require an emergency supply of naloxone in every school within a public school unit and appropriates funds to meet these requirements. The law requires the principal of each school to designate one or more school personnel to receive annual training from a school nurse regarding the use of naloxone. This law has not been passed.

**SB889** would criminalize exposing emergency responders to fentanyl. This law has not been passed.



## NORTH DAKOTA

No regular session in 2024



## OHIO

Legislature meets year-round





## OKLAHOMA

Adjourned May 30, 2024

**HB2924** makes appropriations to the Oklahoma Opioid Abatement Revolving Fund and specifies amounts and sources. This law went into effect on July 1, 2024.

**SB1740** protects individuals who administer opioid antagonists from liability. This law went into effect on April 22, 2024.



## OREGON

Adjourned March 7, 2024

**HB4002** amended Measure 110, creating a form of conditional discharge for drug enforcement misdemeanors along with the Oregon Behavioral Health Deflection Program. The law also establishes the Oregon Jail-Based Medications for Opioid Use Disorder Grant Program. The law went into effect on April 1, 2024.

**Executive Order No. 24-07** declared a state of emergency due to fentanyl use in Portland City Center. The order directed coordinated action from state agencies across Oregon to implement a comprehensive plan to address the fentanyl crisis.

**SB1553** makes using drugs on public transit a crime of interfering with public transportation. This law goes into effect on January 1, 2025.

**SB1552** implements comprehensive changes to Oregon’s education laws. Notably, the law sets forth policies for opioid antagonists in schools, requiring the State Board of Education to adopt rules requiring a school, school district, or school district board to provide access to opioid antagonists and the supplies necessary to administer them. It also allows a school to be held criminally or civilly liable for failure to provide access to opioid antagonists. This law went into effect on April 4, 2024.



## PENNSYLVANIA

Adjourns November 30, 2024

**SB1030** would provide for the offense of trafficking drugs containing fentanyl to minors and impose penalties for this crime. This law has not been passed.



## RHODE ISLAND

Adjourned June 30, 2024



## SOUTH CAROLINA

Adjourned May 9, 2024



## SOUTH DAKOTA

Adjourned March 26, 2024

**SB6** sets forth punishments for “death by distribution of a Schedule I or II substance.”



## TENNESSEE

Adjourned April 25, 2024

**HB2311 / SB2141** requires the principal or head of a school to maintain an opioid antagonist and prohibits a school from prohibiting a student, employee, or visitor from possessing an opioid antagonist while on school property or while attending a school-sponsored event. This law went into effect on March 27, 2024.

**SB1677 / HB1824** adds Kroger Co. to the list of companies that are released from liability for claims regarding opioids. This law went into effect on March 15, 2024.



## TENNESSEE

Adjourned April 25, 2024

**HB2308 / SB2297** amends existing law to provide that only licensed physicians are authorized to prescribe buprenorphine. The law carves out exceptions for providers who meet certain criteria and are otherwise permitted to prescribe Schedule II or III drugs. This law went into effect on May 13, 2024.

**HB2301 / SB2229** amends existing law to require that violating the law regarding penalties for drugs be punished as second-degree murder if the substance involved is fentanyl, a fentanyl analog, or fentanyl derivative and resulted in the death of another person. This law went into effect on May 13, 2024.



## TEXAS

No regular session in 2024



## UTAH

Adjourned March 1, 2024

**SB261** requires recipients of opioid settlement proceeds to report data about the use of opioid settlement proceedings to the Health and Human Services Interim Committee and the Social Services Appropriations Subcommittee. It also requires the data to be made publicly accessible on the department's website. This law went into effect on May 1, 2024.

**SB130** adds peer support specialists, social workers, and substance use disorder counselors to the definition of an overdose outreach provider. This law went into effect on May 1, 2024.

**SB212** allows the Department of Corrections to cooperate with medical personnel to provide medication-assisted treatment to inmates who had an active medication-assisted treatment plan prior to incarceration. The law also allows correctional facilities to store medications for opioid use disorder at the discretion of the chief administrative officer. This bill went into effect on May 1, 2024.

**SB60** provides for the dismissal of a charge of possession of a hypodermic syringe or needle under specific circumstances, including when the person in possession of a hypodermic syringe or needle was enrolled or participating in a syringe exchange program at the time of the offense or if the individual demonstrates an intent to engage with substance use treatment. This law went into effect on May 1, 2024.



## VERMONT

Adjourned May 11, 2024



## VIRGINIA

Adjourned March 9, 2024

**HB586** amends Section 9.1-102 of the Code of Virginia regarding training standards for law enforcement officers to include the use of naloxone or other opioid antagonists to prevent opioid overdose deaths in coordination with statewide naloxone training programs developed by the Department of Behavioral Health and Developmental Services and the Virginia Department of Health.

**SB469** increases penalties for manufacturing, selling, giving, and distributing controlled substances. The law makes it a crime for any person to possess, purchase, sell, give, distribute, or possess with intent to sell, give, or distribute an "encapsulating machine" or a "tableting machine" that manufactures or produces a controlled substance.

**HB342** requires the possession of naloxone or other opioid antagonists by state agencies.

**SB726 / HB732** requires each local school board to develop plans, policies, and procedures for providing instruction on opioid overdose prevention and reversal. The law also requires the procurement, placement, and maintenance of opioid antagonists in each public elementary and secondary school.

**SB367** establishes the Task Force on Fentanyl and Heroin Enforcement to study ways to enhance the ability of law enforcement officers to combat the illegal manufacturing, importation, and distribution of fentanyl, heroin, and other controlled substances.



## VIRGINIA

Adjourned March 9, 2024

**HB455** amends existing law, allowing possession of a controlled substance to be reduced to unlawful possession of an item containing residue of a controlled substance, which is a Class 1 misdemeanor. The law does not apply to the possession of an item containing any residue of fentanyl.

**HB161** removes liability for incarcerated individuals who seek emergency medical attention for an overdose or overdose of another.



## WASHINGTON

Adjourned March 7, 2024

**SB6099** creates the tribal opioid prevention and treatment account and specifies that monies from the account may be used for addressing the impact of the opioid epidemic in tribal communities. This law went into effect on July 1, 2024.

**HB2396** outlines public outreach and resources related to fentanyl and other synthetic opioids. Notably, the law requires jails that are releasing any individual from custody to provide information on the availability of SUD treatment programs. This law went into effect on June 6, 2024.

**SB5804** amends existing law to encourage public schools to include opioid overdose reversal medication in each first aid kit on school property. This law went into effect on June 6, 2024.

**HB2112** mandates that each public and private institution of higher education provide opioid and fentanyl prevention education and awareness to all students. The law also mandates the availability of naloxone and fentanyl test strips on campus and training on naloxone administration. This law went into effect on June 6, 2024.

**HB1956** mandates the state's Department of Health to deploy a statewide substance use prevention and awareness campaign to address the drug overdose epidemic. The law also instructs the Office of the Superintendent of Public Instruction to collaborate with the Department of Health to develop substance use prevention and awareness materials for school and classroom uses. This law went into effect on March 19, 2024.



## WEST VIRGINIA

Adjourned March 9, 2024

**HB4667** prohibits syringe service programs from distributing any smoking devices. This law was approved by the Governor on March 22, 2024.

**HB5540** requires public school students in grades 6-12 to receive an annual education on substance use disorder prevention and the use of naloxone. This mandatory instruction will begin in the 2024-2025 school year.



## WISCONSIN

Legislature meets year-round

**SB875** exempts xylazine testing materials from the definition of drug paraphernalia and provides criminal and civil immunity for the distribution and administration of xylazine testing products. This law went into effect on March 28, 2024.

**AB223** requires school boards and governing bodies to ensure that each school maintains a usable supply of an opioid antagonist on site.



## WYOMING

Adjourned March 8, 2024

## AMERICAN SAMOA



## DISTRICT OF COLUMBIA

Legislature meets year-round

**R25-0456** extends the public emergency regarding the opioid crisis beyond March 13, 2024, and authorizes the district's agencies to retain their enhanced authorities under the public emergency to respond to the opioid crisis beyond this date. This resolution became effective on March 5, 2024.

**B25-0733** amends the District of Columbia Public Emergency Act of 1980 on an emergency basis to include language encompassing the opioid crisis and authorizes the mayor to extend the duration of public emergencies related to the opioid crisis. This law went into effect on March 13, 2024, and expired on June 11, 2024.

**B25-0734** temporarily amends the District of Columbia Public Emergency Act of 1980 to include language encompassing the opioid crisis and authorizes the mayor to extend the duration of public emergencies related to the opioid crisis. This law went into effect on June 1, 2024, and expires on September 17, 2024.

**B25-0580** temporarily amends the District of Columbia Public Emergency Act of 1980 to include language encompassing the opioid crisis and authorizes the mayor to extend the duration of public emergencies related to the opioid crisis. This law went into effect on February 22, 2024, and expires on October 4, 2024.

E.O. 24-035 declared the opioid crisis a public emergency and provided the district's agencies with the authority to expedite procurement and the issuance of grants tailored to the public emergency.

## GUAM

Legislature meets year-round

## PUERTO RICO

## UNITED STATES VIRGIN ISLANDS

Legislature meets year-round