

# SENATE BILL No. 828

February 15, 2018, Introduced by Senators JONES and O'BRIEN and referred to the Committee on Health Policy.

A bill to allow library employees or agents to carry and administer opioid antagonists in certain circumstances; to provide access to opioid antagonists by certain libraries and library employees or agents; and to limit the civil and criminal liability of certain libraries and library employees or agents for the possession, distribution, and use of opioid antagonists under certain circumstances.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 101. (1) This act shall be known and may be cited as the  
2 "administration of opioid antagonists by library employees act".

3           (2) As used in this act:

4           (a) "Library employee or agent" means any of the following:

5           (i) An individual who is employed by a public library.

6           (ii) An individual who works in a public library under a

1 contract with the public library.

2 (iii) An appointed or elected official who serves on the  
3 governing board of a public library.

4 (iv) An individual who volunteers with a public library.

5 (b) "Opioid antagonist" means naloxone hydrochloride or any  
6 other similarly acting and equally safe drug approved by the  
7 federal Food and Drug Administration for the treatment of drug  
8 overdose.

9 (c) "Opioid-related overdose" means a condition, including,  
10 but not limited to, extreme physical illness, decreased level of  
11 consciousness, respiratory depression, coma, or death, that results  
12 from the consumption or use of an opioid or another substance with  
13 which an opioid was combined or that a reasonable person would  
14 believe to be an opioid-related overdose that requires medical  
15 assistance.

16 (d) "Public library" means a library that is lawfully  
17 established for free public purposes by 1 or more counties, cities,  
18 townships, villages, school districts, or other local governments  
19 or a combination thereof, or by a public or local act, the entire  
20 interests of which belong to the general public. Public library  
21 does not include a special library such as a professional,  
22 technical, or school library.

23 Sec. 103. A public library may purchase and possess an opioid  
24 antagonist for purposes of this act and distribute that opioid  
25 antagonist to a library employee or agent who has been trained in  
26 the administration of that opioid antagonist for purposes of this  
27 act.

1           Sec. 105. A library employee or agent may possess an opioid  
2 antagonist distributed to that employee or agent under section 103  
3 and may administer that opioid antagonist to an individual if both  
4 of the following apply:

5           (a) The library employee or agent has been trained in the  
6 proper administration of that opioid antagonist.

7           (b) The library employee or agent has reason to believe that  
8 the individual is experiencing an opioid-related overdose.

9           Sec. 107. (1) A public library that purchases, possesses, or  
10 distributes an opioid antagonist under section 103, and a library  
11 employee or agent that possesses or in good faith administers an  
12 opioid antagonist under section 105, is immune from civil liability  
13 for injuries or damages arising out of the administration of that  
14 opioid antagonist to an individual under this act if the conduct  
15 does not amount to gross negligence that is the proximate cause of  
16 the injury or damage. As used in this subsection, "gross  
17 negligence" means that term as defined in section 7 of 1964 PA 170,  
18 MCL 691.1407.

19           (2) A public library that purchases, possesses, or distributes  
20 an opioid antagonist under section 103, and a library employee or  
21 agent that possesses or in good faith administers an opioid  
22 antagonist under section 105, is not subject to criminal  
23 prosecution for purchasing, possessing, or distributing an opioid  
24 antagonist under this act or for administering an opioid antagonist  
25 to an individual under this act.

26           Enacting section 1. This act takes effect 90 days after the  
27 date it is enacted into law.

1           Enacting section 2. This act does not take effect unless  
2 Senate Bill No. 829  
3 of the 99th Legislature is enacted into law.