

BILL ANALYSIS

Senate Research Center
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S.B. 340
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Criminal Justice
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

According to the Centers for Disease Control and Prevention (CDC), in 2017, over 28,000 deaths involving non-methadone synthetic opioids occurred in the United States, making this type of opioid the most deadly. Also according to the CDC, non-methadone synthetic opioid overdose death rates increased across all demographics. The CDC has correlated an increase in synthetic opioid-involved deaths with an increase in fentanyl submitted by law enforcement agencies.

Law enforcement personnel, including evidence technicians and forensic analysts, are increasingly at risk while testing substances that may be synthetic opioids (including fentanyl). Without a plan to address a possible opioid overdose, law enforcement agencies may be less willing to test unknown substances, thought to be narcotics, due to fear that inadvertent contact with that substance might result in an opioid overdose.

S.B. 340 creates a grant program in the criminal justice division in the Office of the Governor to provide financial assistance to law enforcement agencies to purchase opioid antagonists for peace officers, evidence technicians, and related personnel to address an opioid overdose.

As proposed, S.B. 340 amends current law relating to the creation of a grant program to assist law enforcement agencies with the purchase of opioid antagonists.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 772, Government Code, by adding Section 772.0078, as follows:

Sec. 772.0078. OPIOID ANTAGONIST GRANT PROGRAM. (a) Defines "criminal justice division," "opioid antagonist," and "opioid-related drug overdose."

(b) Requires the criminal justice division in the Office of the Governor (criminal justice division) to establish and administer a grant program to provide financial assistance to a law enforcement agency in this state that seeks to provide opioid antagonists to peace officers, evidence technicians, and related personnel who, in the course of performing their duties, are likely to come into contact with opioids or encounter persons suffering from an apparent opioid-related drug overdose.

(c) Authorizes a law enforcement agency to apply for a grant under this section only if the agency first adopts a policy addressing the usage of an opioid antagonist for a person suffering from an apparent opioid-related drug overdose.

(d) Requires a law enforcement agency, in an application for a grant under this section, to provide information to the criminal justice division about the frequency and nature of interactions between peace officers and persons suffering from an apparent opioid-related drug overdose, calls for assistance based on an apparent

opioid-related drug overdose, and any exposure of peace officers, evidence technicians, or related personnel to opioids or suspected opioids in the course of performing their duties and any reactions by those persons to those substances.

(e) Requires a law enforcement agency receiving a grant under this section to provide to the criminal justice division proof of purchase of the opioid antagonists as soon as practicable after receiving the grant.

(f) Authorizes the criminal justice division to use any money available for purposes of this section.

SECTION 2. Effective date: upon passage or September 1, 2019.