



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 1049 (as introduced 9-11-14)
Sponsor: Senator Tonya Schuitmaker
Committee: Judiciary

Date Completed: 9-29-14

CONTENT

The bill would create a new act to do the following:

- **Allow a law enforcement agency to purchase and distribute to its officers an opioid antagonist.**
- **Allow a peace officer who was trained in the proper administration of an opioid antagonist to possess and administer it to a person experiencing an opioid-related overdose.**
- **Grant civil and criminal immunity to a law enforcement agency or peace officer who possessed and used an opioid antagonist as allowed under the bill.**

The bill would define "opioid-related overdose" as a condition that results from the consumption or use of an opioid or another substance with which an opioid was combined or that a reasonable person would believe to be an opioid-related overdose that requires medical assistance. The conditions resulting from consumption or use of an opioid or other substance would include, but would not be limited to, extreme physical illness, decreased level of consciousness, respiratory depression, coma, or death.

"Opioid antagonist" would mean a drug that binds to opioid receptors and blocks or inhibits the effects of opioids acting on those receptors. The term would include naloxone hydrochloride.

Purchase, Possession, & Administration

The bill would authorize a law enforcement agency to purchase and possess any opioid antagonist and distribute it to peace officers it employed who had been trained in the administration of the opioid antagonist.

A peace officer could possess any opioid antagonist that a law enforcement agency had distributed to him or her and could administer it to an individual if both of the following applied:

- The officer had been trained in the proper administration of the opioid antagonist.
- The officer had reason to believe that the person was experiencing an opioid-related overdose.

Civil & Criminal Immunity

A law enforcement agency that purchased, possessed, or distributed any opioid antagonist under the bill, and any peace officer who possessed or in good faith administered an opioid

antagonist, would be immune from civil liability for damages arising out of the administration of that drug to any individual. An agency or officer also would not be subject to criminal prosecution for buying, possessing, distributing, or administering any opioid antagonist under the bill.

Legislative Analyst: Patrick Affholter

FISCAL IMPACT

The bill could result in supply and training costs to those law enforcement agencies that opted to purchase and use opioid antagonists as allowed under the bill.

The bill's immunity provision could potentially reduce the number of prosecutions and convictions for possession or administration of controlled substances by peace officers, thus potentially reducing court and corrections costs and costs of litigation for a law enforcement entity that chose to purchase and possess opioid antagonists and train officers in the administration of opioid antagonists.

Fiscal Analyst: Bruce Baker

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.