

By: Vasut

H.B. No. 5521

A BILL TO BE ENTITLED

AN ACT

relating to the possession and administration of an opioid antagonist by certain entities.

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

SECTION 1. Subchapter A, Chapter 773, Health and Safety Code, is amended by adding Section 773.018 to read as follows:

Sec. 773.018. POSSESSION AND ADMINISTRATION OF OPIOID ANTAGONIST. (a) In this section, "live music venue" means a business with a space for live music and a primary revenue source of patron attendance to live music performances. The term includes a concert hall and indoor or outdoor stadium.

(b) This section applies to:

(1) an amusement park, as defined by Section 46.03, Penal Code;

(2) a live music venue;

(3) a sports venue, as defined by Section 504.151, Local Government Code; and

(4) subject to Subsection (c), other entities the executive commissioner by rule designates as an entity that benefits from the possession and administration of opioid antagonists.

(c) This section does not apply to a governmental entity.

(d) An entity subject to this section may adopt a policy regarding the maintenance, administration, and disposal of opioid

1 antagonists. The policy must authorize the administration of an  
2 opioid antagonist for a person reasonably believed to be  
3 experiencing an opioid overdose on the entity's premises only by an  
4 entity employee or volunteer who is authorized and trained to  
5 administer the opioid antagonist.

6 (e) The executive commissioner shall adopt rules regarding  
7 an entity's maintenance, administration, and disposal of opioid  
8 antagonists under this section. The rules must establish:

9 (1) the number and dosages of the opioid antagonists  
10 available at each entity;

11 (2) the process for each entity to regularly verify  
12 its inventory of opioid antagonists for replacement of expired  
13 opioid antagonists; and

14 (3) the training required for an entity employee or  
15 volunteer to administer an opioid antagonist.

16 (f) Each entity that adopts a policy under Subsection (d)  
17 must have at least one entity employee or volunteer authorized and  
18 trained to administer an opioid antagonist present during all hours  
19 the entity is open to the public or the population the entity  
20 serves, as applicable.

21 (g) The entity's supply of opioid antagonists must:

22 (1) be stored in a secure location and in accordance  
23 with the manufacturer's instructions; and

24 (2) be easily accessible to an entity employee or  
25 volunteer who is authorized and trained to administer an opioid  
26 antagonist.

27 (h) Each entity that adopts a policy under Subsection (d) is

1 responsible for training the entity's employees and volunteers in  
2 the administration of an opioid antagonist. The training must:

3 (1) include information on:

4 (A) the signs and symptoms of an opioid overdose;

5 (B) the recommended opioid antagonist dosages  
6 for an adult and a child;

7 (C) the administration of an opioid antagonist;

8 (D) the implementation of any necessary  
9 emergency procedures after administration of an opioid antagonist;  
10 and

11 (E) the proper disposal of a used or expired  
12 opioid antagonist; and

13 (2) be completed annually in a formal training session  
14 or through online education.

15 (i) Each entity shall maintain records on the training  
16 completed by each entity employee and volunteer under this section.

17 (j) An entity, entity employee or volunteer, or other person  
18 who in good faith acts or fails to act as authorized under this  
19 section, including by administering an opioid antagonist as  
20 authorized in a policy adopted under this section, is immune from  
21 civil or criminal liability or disciplinary action resulting from  
22 that act or failure to act, including:

23 (1) supervising or delegating the administration of an  
24 opioid antagonist;

25 (2) possessing, maintaining, storing, or disposing of  
26 an opioid antagonist;

27 (3) administering, or assisting in the administration

1 of, an opioid antagonist;

2 (4) providing training, consultation, or advice in the  
3 development, adoption, or implementation of policies, guidelines,  
4 or plans; or

5 (5) any other act authorized or required under this  
6 section.

7 (k) The immunities and protections provided by this section  
8 are in addition to other immunities or limitations of liability  
9 provided by law.

10 (l) Notwithstanding any other law, this section does not  
11 create a civil, criminal, or administrative cause of action or  
12 liability or create a standard of care, obligation, or duty that  
13 provides a basis for a cause of action for an act or omission under  
14 this section. A cause of action does not arise from an act or  
15 omission described by this section.

16 (m) An act or failure to act by an entity employee or  
17 volunteer under this section, including an act or failure to act  
18 under related entity policies and procedures, is the exercise of  
19 judgment or discretion on the part of the entity employee or  
20 volunteer and is not considered to be a ministerial act for purposes  
21 of liability of the entity.

22 SECTION 2. This Act takes effect September 1, 2025.