

SENATE, No. 2818

STATE OF NEW JERSEY

221st LEGISLATURE

INTRODUCED FEBRUARY 27, 2024

Sponsored by:

Senator HOLLY T. SCHEPISI

District 39 (Bergen)

Senator VIN GOPAL

District 11 (Monmouth)

Co-Sponsored by:

**Senators Singleton, Corrado, Tiver, Greenstein, A.M.Bucco, Pennacchio,
Henry and Burgess**

SYNOPSIS

“Max’s Law”; requires school districts to provide instruction on dangers of fentanyl and xylazine.

CURRENT VERSION OF TEXT

As introduced.



(Sponsorship Updated As Of: 5/6/2024)

1 **AN ACT** concerning instruction on the dangers of fentanyl and
2 xylazine in public schools, designated as Max's Law, and
3 supplementing chapter 35 of Title 18A of the New Jersey
4 Statutes.

5
6 **BE IT ENACTED** *by the Senate and General Assembly of the State*
7 *of New Jersey:*

8
9 1. a. A school district shall include instruction on the dangers
10 of fentanyl and xylazine in an appropriate place in the curriculum of
11 students in grades six through 12 as part of the district's
12 implementation of the New Jersey Student Learning Standards in
13 Comprehensive Health and Physical Education.

14 b. The instruction shall include, at a minimum, information on:

15 (1) fentanyl and xylazine abuse prevention;

16 (2) fentanyl and xylazine poisoning awareness;

17 (3) the dangers of synthetic opioids, including fentanyl or any
18 substituted derivative of fentanyl, xylazine, and counterfeit drugs;

19 (4) recognizing the symptoms of fentanyl and xylazine
20 poisoning;

21 (5) how to respond to a fentanyl or xylazine poisoning
22 emergency; and

23 (6) laws that provide immunity or other protections for persons
24 who report drug or alcohol use, or who seek medical treatment for
25 drug or alcohol poisoning or overdoses for themselves or others.

26 c. The Commissioner of Education shall provide school
27 districts with age-appropriate resources designed to implement the
28 requirement established pursuant to subsection a. of this section.
29 Information for instruction on the dangers of fentanyl and xylazine
30 shall utilize information and resources provided by:

31 (1) the National Institutes of Health;

32 (2) the United States Drug Enforcement Administration;

33 (3) the United States Department of Health and Human Services;

34 (4) the Centers for Disease Control and Prevention; or

35 (5) any State, county, or municipal department or agency.

36 d. The Department of Education shall post and maintain on its
37 Internet website information on:

38 (1) instruction on the dangers of fentanyl and xylazine provided
39 to school districts pursuant to subsection c. of this section;

40 (2) awareness and safety materials for school staff, students, and
41 parents on opioid poisoning prevention;

42 (3) outreach organizations with resources concerning opioid
43 awareness and opioid poisoning prevention; and

44 (4) preventative mental health resources available from
45 applicable federal, State, county, or municipal departments and
46 agencies.

47 e. The State Board of Education shall review and update the
48 New Jersey Student Learning Standards in Comprehensive Health

1 and Physical Education to ensure instruction on the dangers of
2 fentanyl and xylazine is incorporated in an appropriate place in the
3 curriculum of students in grades six through 12 as required pursuant
4 to this section.

5
6 2. The Commissioner of Education, in consultation with local
7 school districts and the Commissioner of Health, shall submit an
8 annual report to the Governor, and to the Legislature pursuant to
9 section 2 of P.L.1991, c.164 (C.52:14-19.1), on the implementation
10 of the curriculum requirement established pursuant to section 1
11 P.L. , c. (C.) (pending before the Legislature as this bill).
12 The report shall include an evaluation of the effectiveness of the
13 curriculum in reducing and preventing the use of, or poisoning
14 from, fentanyl, xylazine, and similar drugs among youth, and
15 recommendations to improve and enhance the effectiveness of the
16 curriculum.

17
18 3. This act shall take effect immediately and shall first apply to
19 the first full school year following the date of enactment.

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21
22 STATEMENT

23
24 This bill, to be known as “Max’s Law,” requires school districts
25 to provide instruction on the dangers of fentanyl and xylazine as
26 part of the district’s implementation of the New Jersey Student
27 Learning Standards in Comprehensive Health and Physical
28 Education.

29 Under the bill, the instruction is required to include information
30 on: (1) fentanyl and xylazine abuse prevention; (2) fentanyl and
31 xylazine poisoning awareness; (3) the dangers of synthetic opioids,
32 including fentanyl or any substituted derivative of fentanyl,
33 xylazine, and counterfeit drugs; (4) recognizing the symptoms of
34 fentanyl and xylazine poisoning; (5) how to respond to a fentanyl or
35 xylazine poisoning emergency; and (6) laws that provide immunity
36 or other protections for persons who report drug or alcohol use, or
37 who seek medical treatment for drug or alcohol poisoning or
38 overdoses for themselves or others.

39 Additionally, the bill requires the Commissioner of Education to
40 provide school districts with age-appropriate resources designed to
41 implement the requirements established under the bill. The
42 information is required to utilize information and resources
43 provided by: (1) the National Institutes of Health; (2) the United
44 States Drug Enforcement Administration; (3) the United States
45 Department of Health and Human Services; (4) the Centers for
46 Disease Control and Prevention; or (5) any State, county, or
47 municipal department or agency.

1 The bill requires the Department of Education to post and
2 maintain on its Internet website: (1) information for instruction on
3 the dangers of fentanyl and xylazine provided to school districts; (2)
4 informational materials containing awareness and safety
5 information for school staff, students, and parents, on opioid
6 poisoning prevention; (3) information on outreach organizations
7 with resources concerning opioid awareness and opioid poisoning
8 prevention; and (4) preventative mental health resources available
9 from applicable federal, state, county, or municipal departments and
10 agencies.

11 Xylazine, commonly referred to as “tranq,” is a non-opioid
12 sedative, or tranquilizer. While xylazine is not considered a
13 controlled substance in the United States, it is not approved for use
14 in people. The Federal Drug Enforcement Administration reported
15 that xylazine and fentanyl mixtures place users at a higher risk of
16 suffering a fatal drug poisoning.

17 It is the sponsor’s intent that this bill raise awareness of the
18 dangers of fentanyl and xylazine and to honor the memory of Max
19 Lenowitz of Woodcliff Lake, a beloved son, brother, and friend, and
20 the thousands of other New Jersey residents who have lost their
21 lives to fentanyl or xylazine poisoning.