

# HB4219



## 103RD GENERAL ASSEMBLY

State of Illinois

2023 and 2024

HB4219

Introduced 11/7/2023, by Rep. Janet Yang Rohr

### SYNOPSIS AS INTRODUCED:

105 ILCS 5/27-13.2

from Ch. 122, par. 27-13.2

Amends the School Code. In provisions concerning fentanyl education, beginning with the 2025-2026 school year, provides that in at least one unit in the State-required health courses for grades 6 through 8 a school district shall provide instruction, study, and discussion on the dangers of fentanyl.

LRB103 34629 RJT 64470 b

STATE MANDATES  
ACT MAY REQUIRE  
REIMBURSEMENT

A BILL FOR

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The School Code is amended by changing Section  
5 27-13.2 as follows:

6 (105 ILCS 5/27-13.2) (from Ch. 122, par. 27-13.2)

7 (Text of Section before amendment by P.A. 103-365)

8 Sec. 27-13.2. Required instruction. In every public school  
9 there shall be instruction, study, and discussion of effective  
10 methods by which pupils may recognize the danger of and avoid  
11 abduction, and in every public school maintaining any of  
12 grades kindergarten through 8 there shall be, for such grades,  
13 instruction, study, and discussion of effective methods for  
14 the prevention and avoidance of drugs and the dangers of  
15 opioid and substance abuse. School boards may include such  
16 required instruction, study and discussion in the courses of  
17 study regularly taught in the public schools of their  
18 respective districts; provided, however, that such instruction  
19 shall be given each year to all pupils in grades kindergarten  
20 through 8. The State Superintendent of Education may prepare  
21 and make available to all public and non-public schools  
22 instructional materials which may be used by such schools as  
23 guidelines for development of a program of instruction under

1 this Section; provided, however, that each school board shall  
2 itself determine the minimum amount of instruction time which  
3 shall qualify as a program of instruction which will satisfy  
4 the requirements of this Section.

5 The State Superintendent of Education, in cooperation with  
6 the Department of Children and Family Services, shall prepare  
7 and disseminate to all public schools and non-public schools,  
8 information on instructional materials and programs about  
9 child sexual abuse which may be used by such schools for their  
10 own or community programs. Such information may also be  
11 disseminated by such schools to parents.

12 Notwithstanding the foregoing provisions of this Section,  
13 no pupil in any of grades kindergarten through 8 shall be  
14 required to take or participate in any class or course  
15 providing instruction in recognizing and avoiding sexual abuse  
16 if the parent or guardian of the pupil submits written  
17 objection thereto; and refusal to take or participate in such  
18 class or course after such written objection is made shall not  
19 be reason for failing, suspending or expelling such pupil.  
20 Each school board intending to offer any such class or course  
21 to pupils in any of grades kindergarten through 8 shall give  
22 not less than 5 days written notice to the parents or guardians  
23 of such pupils before commencing the class or course.

24 (Source: P.A. 102-195, eff. 7-30-21.)

25 (Text of Section after amendment by P.A. 103-365)

1           Sec. 27-13.2. Required instruction.

2           (a) In every public school there shall be instruction,  
3 study, and discussion of effective methods by which pupils may  
4 recognize the danger of and avoid abduction, and in every  
5 public school maintaining any of grades kindergarten through  
6 8, there shall be, for such grades, instruction, study, and  
7 discussion of effective methods for the prevention and  
8 avoidance of drugs and the dangers of opioid and substance  
9 abuse. School boards may include such required instruction,  
10 study, and discussion in the courses of study regularly taught  
11 in the public schools of their respective districts; provided,  
12 however, that such instruction shall be given each year to all  
13 pupils in grades kindergarten through 8. The State  
14 Superintendent of Education may prepare and make available to  
15 all public and non-public schools instructional materials  
16 which may be used by such schools as guidelines for  
17 development of a program of instruction under this subsection  
18 (a); provided, however, that each school board shall itself  
19 determine the minimum amount of instruction time which shall  
20 qualify as a program of instruction which will satisfy the  
21 requirements of this subsection (a).

22           The State Superintendent of Education, in cooperation with  
23 the Department of Children and Family Services, shall prepare  
24 and disseminate to all public schools and non-public schools,  
25 information on instructional materials and programs about  
26 child sexual abuse which may be used by such schools for their

1 own or community programs. Such information may also be  
2 disseminated by such schools to parents.

3 (b) Notwithstanding subsection (a) of this Section, no  
4 pupil in any of grades kindergarten through 8 shall be  
5 required to take or participate in any class or course  
6 providing instruction in recognizing and avoiding sexual abuse  
7 if the parent or guardian of the pupil submits written  
8 objection thereto; and refusal to take or participate in such  
9 class or course after such written objection is made shall not  
10 be reason for failing, suspending or expelling such pupil.  
11 Each school board intending to offer any such class or course  
12 to pupils in any of grades kindergarten through 8 shall give  
13 not less than 5 days written notice to the parents or guardians  
14 of such pupils before commencing the class or course.

15 (c) Beginning with the 2024-2025 school year, in every  
16 State-required health course for grades 9 through 12, and  
17 beginning with the 2025-2026 school year, in at least one unit  
18 in the State-required health courses for grades 6 through 8, a  
19 school district shall provide instruction, study, and  
20 discussion on the dangers of fentanyl. Information for the  
21 instruction, study, and discussion of fentanyl shall come from  
22 information provided by the National Institutes of Health, the  
23 United States Drug Enforcement Administration, or the United  
24 States Department of Health and Human Services. This  
25 instruction, study, and discussion shall include, at a  
26 minimum, all of the following:

1           (1) Information on fentanyl itself, including an  
2 explanation of the differences between synthetic and  
3 nonsynthetic opioids and illicit drugs, the variations of  
4 fentanyl itself, and the differences between the legal and  
5 illegal uses of fentanyl.

6           (2) The side effects and the risk factors of using  
7 fentanyl, along with information comparing the lethal  
8 amounts of fentanyl to other drugs. Information on the  
9 risk factors may include, but is not limited to:

10           (A) the lethal dose of fentanyl;

11           (B) how often fentanyl is placed in drugs without  
12 a person's knowledge;

13           (C) an explanation of what fentanyl does to a  
14 person's body and the severity of fentanyl's addictive  
15 properties; and

16           (D) how the consumption of fentanyl can lead to  
17 hypoxia, as well as an explanation of what hypoxia  
18 precisely does to a person's body.

19           (3) Details about the process of lacing fentanyl in  
20 other drugs and why drugs get laced with fentanyl.

21           (4) Details about how to detect fentanyl in drugs and  
22 how to save someone from an overdose of fentanyl, which  
23 shall include:

24           (A) how to buy and use fentanyl test strips;

25           (B) how to buy and use naloxone, either through a  
26 nasal spray or an injection; and

1 (C) how to detect if someone is overdosing on  
2 fentanyl.

3 Students shall be assessed on the instruction required  
4 under this subsection (c). The assessment may include, but is  
5 not limited to:

6 (1) the differences between synthetic and nonsynthetic  
7 drugs;

8 (2) hypoxia;

9 (3) the effects of fentanyl on a person's body;

10 (4) the lethal dose of fentanyl; and

11 (5) how to detect and prevent overdoses.

12 The instruction required under this subsection (c) shall  
13 be taught by a licensed educator, school nurse, or school  
14 counselor.

15 (Source: P.A. 102-195, eff. 7-30-21; 103-365, eff. 1-1-24.)

16 Section 95. No acceleration or delay. Where this Act makes  
17 changes in a statute that is represented in this Act by text  
18 that is not yet or no longer in effect (for example, a Section  
19 represented by multiple versions), the use of that text does  
20 not accelerate or delay the taking effect of (i) the changes  
21 made by this Act or (ii) provisions derived from any other  
22 Public Act.