

Department of Legislative Services
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2026 Session

FISCAL AND POLICY NOTE
Third Reader - Revised

House Bill 423
Ways and Means

(Prince George's County Delegation)

Education, Energy, and the Environment

Prince George's County - Public High Schools - Drug Detection Products
PG 501-26

This bill establishes legislative intent that public high schools in Prince George’s County provide drink spiking detection products and drug detection strips to their students. Under the bill, the Prince George’s County Board of Education must require public high schools to do so at no cost to students beginning in the 2026-2027 school year – but only if those products are provided to the public high schools at no cost to the schools. Moreover, the requirement to provide drug detection strips applies only to a public high school with an incident requiring the use of overdose-reversing medication reported to the Maryland State Department of Education (MSDE). The bill establishes an annual reporting requirement for Prince George’s County public high schools to report to Maryland’s Office of Overdose Response (MOOR) on distribution of such products. **The bill takes effect July 1, 2026.**

Fiscal Summary

State Effect: MOOR can receive reports from Prince George’s County public high schools with existing budgeted resources. This analysis assumes that any additional applications to become an authorized entity under the Overdose Response Program (ORP) has no effect on State expenditures for the program. Revenues are not affected.

Local Effect: Expenditures for Prince George’s County Public Schools (PGCPS) may increase minimally to install dispensers for detection products. PGCPS expenditures are likely not otherwise affected as the requirement to provide detection products applies only if they are provided to high schools at no cost. PGCPS can report to MOOR with existing budgeted resources. Prince George’s County expenditures may be affected to the extent Opioid Restitution Fund (ORF) awards are used to supply drug detection strips to schools. Revenues are not affected.

Small Business Effect: None.

Analysis

Bill Summary: “Drink spiking detection product” means a product that has one or more test spots that allow the user to test a portion of a beverage to determine whether it has been contaminated with the drug gamma-hydroxybutyric acid (GHB) or ketamine. “Drug detection strip” means a disposable test strip that allows an individual to test a drug for the presence of fentanyl.

Detection products may be made available in school-based health clinics or school libraries.

Beginning October 1, 2027, and annually thereafter, each public high school in Prince George’s County must report to MOOR on the quantity of drug detection products distributed annually during the previous school year.

Current Law:

Public Schools – Program of Drug Addiction Prevention and Education

Chapters 573 and 574 of 2017, the Heroin and Opioid Education and Community Action Act (Start Talking Maryland Act) require the State Board of Education to implement a program of drug addiction and prevention education in schools that includes instruction related to heroin and opioid addiction and prevention, including information relating to the lethal effect of fentanyl. This instruction must be delivered in grade bands as follows: (1) third grade through fifth grade; (2) sixth grade through eighth grade; and (3) ninth grade through twelfth grade. The instruction must be delivered as a stand-alone unit in the program.

Public Schools – Authority to Administer and Possess Overdose-reversing Medication

Under Chapters 573 and 574, each local board of education, in accordance with school health guidelines and State laws and regulations, must authorize the school nurse, school health services personnel, and other school personnel to administer naloxone or another overdose-reversing medication to a student or other person on school property who is reasonably believed to be experiencing an opioid overdose. The policy must include (1) a provision requiring all public schools to obtain and store naloxone or another overdose-reversing medication and (2) a requirement that each public school develop and implement a method for notifying parents or guardians of the policy. Current law exempts a school nurse, other school health services personnel who are licensed or certified under

the Health Occupations Article, and other school personnel who respond in good faith to an overdose emergency from personal liability for any act or omission in the course of responding to the emergency, except for willful or grossly negligent acts.

By October 1 of each year, each public school must submit specified reports to MSDE on each incident at the school that required the use of naloxone or another overdose-reversing medication on a form developed and disseminated by MSDE.

Local Expenditures:

Dispensers

PGCPS expenditures may increase to install dispensers in school libraries and school-based health centers. However, such costs are assumed to be minimal and are not incurred to the extent existing staff can distribute drug detection products without the installation of automatic dispensers. Further, the amount of any expenditure increase depends on the number of dispensers needed and the cost to purchase and install such dispensers.

Drug Detection Products

PGCPS enrolls approximately 40,000 high school students in grades 9 through 12. Drug detection strips can cost as little as \$1 to \$3 per test. Drink spiking detection products that test for the presence of GHB and ketamine can cost less than \$1 to \$5 per test, with single test strips generally costing less than tests with multiple test spots.

Assuming drink spiking detection products are available at a cost of \$2.50 per test, PGCPS would need to obtain \$100,000 worth of drink spiking detection products to cover every student in a secondary school in the county annually via donations, grants, or other means at no cost to the school in order for the bill's mandate to apply.

Sufficient information to determine the total number of schools in PGCPS that reported the use of naloxone or other overdose reversing drug to MSDE was not available. However, each school with such an incident would be required to provide drug detection strips, which cost as little as \$1 to \$3 per test, if the strips were provided at no cost to the school.

To the extent PGCPS is unable to procure drug detection products at no cost, such products are not required to be provided to public high schools in Prince George's County.

Overdose Response Program

MOOR advises that any public or private entity may apply to become an authorized entity under ORP. Authorized entities can distribute naloxone and drug detection strips for

fentanyl, which the Maryland Department of Health currently makes available through ORP at no cost. MOOR advises that some schools in other jurisdictions have registered as authorized entities under ORP in order to provide drug detection strips to students. Drink spiking detection strips are not provided through ORP.

Opioid Restitution Fund

MOOR also advises that drug detection strips are likely an allowable use of ORF funding available to local governments. However, to the extent Prince George's County chooses to use ORF funds to provide drug detection strips to PGCPS, less funding is available for other eligible uses. Drink spiking detection strips are not an allowable use of ORF funding.

Additional Information

Recent Prior Introductions: Similar legislation has not been introduced within the last three years. However, legislation with similar provisions has been introduced. See HB 379 of 2025.

Designated Cross File: None.

Information Source(s): Maryland's Office of Overdose Response; Maryland State Department of Education; Maryland Department of Health; Prince George's County Public Schools; Department of Legislative Services

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Analysis by: Michael E. Sousane

Direct Inquiries to:
(410) 946-5510
(301) 970-5510