

Act No. 321
Public Acts of 2020
Approved by the Governor
December 29, 2020
Filed with the Secretary of State
December 29, 2020
EFFECTIVE DATE: December 29, 2020

**STATE OF MICHIGAN
100TH LEGISLATURE
REGULAR SESSION OF 2020**

Introduced by Senator MacDonald

ENROLLED SENATE BILL No. 844

AN ACT to amend 2019 PA 39, entitled “An act to allow certain employees or agents to carry and administer opioid antagonists in certain circumstances; to provide access to opioid antagonists by certain agencies and employees or agents; to limit the civil and criminal liability of certain agencies and employees or agents for the possession, distribution, and use of opioid antagonists under certain circumstances; and to repeal acts and parts of acts,” by amending section 107 (MCL 15.677).

The People of the State of Michigan enact:

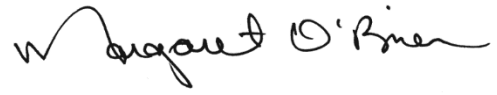
Sec. 107. (1) An agency that purchases, possesses, or distributes an opioid antagonist under section 103 is immune from civil liability for injury, death, or damages arising out of the administration of that opioid antagonist to an individual under this act, if the conduct does not amount to gross negligence that is the proximate cause of the injury, death, or damages. As used in this subsection, “gross negligence” means that term as defined in section 7 of 1964 PA 170, MCL 691.1407.

(2) An employee or agent that possesses, administers, or fails to administer an opioid antagonist under section 105 is immune from civil liability for injury, death, or damages arising out of the administration or failure to administer that opioid antagonist to an individual under this act, if the conduct does not amount to willful or wanton misconduct that is the proximate cause of the injury, death, or damages.

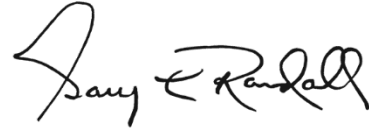
(3) An agency that purchases, possesses, or distributes an opioid antagonist under section 103, and an employee or agent that possesses, administers, or fails to administer an opioid antagonist under section 105, is not subject to criminal prosecution for purchasing, possessing, or distributing an opioid antagonist under this act or for administering or failing to administer an opioid antagonist to an individual under this act.

(4) This section does not eliminate, limit, or reduce any other immunity or defense that may be available under the laws of this state.

This act is ordered to take immediate effect.



Secretary of the Senate



Clerk of the House of Representatives

Approved _____

Governor