

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 23-0798.01 Shelby Ross x4510

SENATE BILL 23-299

SENATE SPONSORSHIP

Cutter, Bridges, Buckner, Coleman, Danielson, Exum, Fenberg, Fields, Ginal, Gonzales, Hansen, Hinrichsen, Jaquez Lewis, Kolker, Marchman, Moreno, Mullica, Priola, Roberts, Sullivan, Winter F.

HOUSE SPONSORSHIP

Titone and Bradley,

Senate Committees

Education

House Committees

Public & Behavioral Health & Human Services

A BILL FOR AN ACT

101 **CONCERNING THE REQUIREMENT TO ACQUIRE EPINEPHRINE**
102 **AUTO-INJECTORS FOR PLACEMENT AT INSTITUTIONS OF HIGHER**
103 **EDUCATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)

The bill requires each institution of higher education (institution) to acquire and stock a supply of epinephrine auto-injectors in each student housing facility and cafeteria. The bill encourages each institution to place epinephrine auto-injectors in sufficient quantities in emergency public access stations to ensure reasonable availability to a person

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

HOUSE
2nd Reading Unamended
May 5, 2023

SENATE
3rd Reading Unamended
May 3, 2023

SENATE
Amended 2nd Reading
May 2, 2023

perceived to be experiencing anaphylaxis.

The bill encourages the person, immediately after using an epinephrine auto-injector, to report the event to the institution's nurse, or the nurse's designee, so the nurse or nurse's designee can provide the appropriate follow-up care, which may include making a 911 emergency call.

The bill requires an institution to accept a donation of a supply of epinephrine auto-injectors that meets standards established by the federal food and drug administration, and to accept gifts, grants, and donations, including in-kind donations, designated for obtaining a supply of epinephrine auto-injectors.

The bill provides immunity for any person who acts in good faith to furnish or administer an epinephrine auto-injector to an individual the person believes is experiencing anaphylaxis.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** 23-5-149 as
3 follows:

4 **23-5-149. Epinephrine auto-injectors at institutions of higher**
5 **education - immunity - short title.** (1) THE SHORT TITLE OF THIS
6 SECTION IS "SYDNEY MEEGAN'S LAW".

7 (2) EACH INSTITUTION OF HIGHER EDUCATION, AS DEFINED IN
8 SECTION 23-18-102, SHALL ACQUIRE AND STOCK A SUPPLY OF EPINEPHRINE
9 AUTO-INJECTORS.

10 (3) EACH INSTITUTION OF HIGHER EDUCATION IS ENCOURAGED,
11 BUT IS NOT REQUIRED, TO:

12 (a) PLACE EPINEPHRINE AUTO-INJECTORS IN REASONABLE
13 QUANTITIES TO ENSURE AVAILABILITY FOR USE BY A PERSON PERCEIVED
14 TO BE EXPERIENCING ANAPHYLAXIS; AND

15 (b) STORE EPINEPHRINE AUTO-INJECTORS IN AN EMERGENCY
16 PUBLIC ACCESS STATION PURSUANT TO ARTICLE 47 OF TITLE 25.

17 (4) NOTWITHSTANDING ARTICLE 47 OF TITLE 25, ANY PERSON IS

1 PERMITTED TO RETRIEVE AND USE AN EPINEPHRINE AUTO-INJECTOR
2 PURSUANT TO THIS SECTION.

3 (5) IMMEDIATELY AFTER USING AN EPINEPHRINE AUTO-INJECTOR,
4 THE PERSON IS ENCOURAGED TO MAKE A 911 EMERGENCY CALL.

5 (6) AN INSTITUTION OF HIGHER EDUCATION IS ENCOURAGED TO
6 ACCEPT A DONATION OF A SUPPLY OF EPINEPHRINE AUTO-INJECTORS THAT
7 MEETS STANDARDS ESTABLISHED BY THE FEDERAL FOOD AND DRUG
8 ADMINISTRATION. AN INSTITUTION OF HIGHER EDUCATION SHALL ALSO
9 ACCEPT GIFTS, GRANTS, AND DONATIONS, INCLUDING IN-KIND DONATIONS,
10 DESIGNATED FOR OBTAINING A SUPPLY OF EPINEPHRINE AUTO-INJECTORS.

11 (7) EACH INSTITUTION OF HIGHER EDUCATION SHALL ADOPT A
12 POLICY CONCERNING THE PLACEMENT OF EPINEPHRINE AUTO-INJECTORS
13 THAT FOCUSES ON AREAS WHERE STUDENTS GATHER IN THE LARGEST
14 VOLUMES, INCLUDING IN DORMITORIES AND DINING HALLS.

15 (8) A PERSON WHO ACTS REASONABLY AND IN GOOD FAITH TO
16 FURNISH OR ADMINISTER AN EPINEPHRINE AUTO-INJECTOR, INCLUDING AN
17 EXPIRED EPINEPHRINE AUTO-INJECTOR, TO AN INDIVIDUAL THE PERSON
18 REASONABLY BELIEVES TO BE EXPERIENCING ANAPHYLAXIS MAY ASSERT
19 THE IMMUNITY SET FORTH IN SECTION 25-47-107.

20 **SECTION 2. Safety clause.** The general assembly hereby finds,
21 determines, and declares that this act is necessary for the immediate
22 preservation of the public peace, health, or safety.