

STATE OF MAINE

—  
IN THE YEAR OF OUR LORD  
TWO THOUSAND TWENTY-FOUR

—  
S.P. 882 - L.D. 2089

**An Act Regarding Drug Awareness Instruction in Secondary Schools**

**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 20-A MRSA §4723**, as amended by PL 2019, c. 106, §3 and c. 196, §1, is further amended to read:

**§4723. Health and physical education**

The secondary course of study must include instruction in health, safety and physical education, as prescribed by the commissioner, and physiology and hygiene, with special reference to the effects of alcoholic drinks, stimulants ~~and~~, narcotics and other dangerous drugs such as fentanyl upon the human system. Health education must include instruction that addresses the relationship between physical and mental health in order to enhance student understanding of attitudes toward and behavior relating to mental illness and to eliminate the stigma associated with mental illness. The secondary course of study must also include instruction on affirmative consent, communication and decision making regarding sexual activity and the effects of alcoholic drinks, stimulants ~~and~~, narcotics and other dangerous drugs such as fentanyl on the ability to give affirmative consent, communicate and make appropriate decisions. For purposes of this section, "affirmative consent" means consent to sexual activity that can be revoked at any time and does not include silence, lack of resistance or consent given while intoxicated.

A secondary school may supplement instruction on youth substance use and youth substance use disorder by observing a drug awareness week during the month of October each year with appropriate activities and programming.