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SB-287 Automated external defibrillators (AEDs). (2015-2016)

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Senate Bill No. 287

CHAPTER 449

An act to add Chapter 3 (commencing with Section 19300) to Part 3 of Division 13 of the Health and Safety Code, relating to automated external defibrillators.

[Approved by Governor October 02, 2015. Filed with Secretary of State October 02, 2015.]

LEGISLATIVE COUNSEL'S DIGEST

SB 287, Hueso. Automated external defibrillators (AEDs).

Existing law requires any person or entity that supplies an AED, which means an automated or automatic external defibrillator (AED), to notify an agent of the local emergency medical services agency of the existence, location, and type of AED acquired and to provide the acquirer of the AED with all information governing the use, installation, operation, training, and maintenance of the AED. Existing law provides that any person or entity that acquires an AED is not liable for civil damages resulting from any acts or omissions in the rendering of emergency care, except as provided, if certain conditions are met, including, but not limited to, that the AED is checked for readiness after each use and at least every 30 days if the AED has not been used in the preceding 30 days. Existing law also provides that a person or entity that provides AED training to a person who renders emergency care is not liable for any civil damages, as specified.

This bill would require certain occupied structures that are not owned or operated by any local government entity and are constructed on or after January 1, 2017, to have an AED on the premises. The bill would require a person or entity that supplies an AED to comply with specified existing law regarding AEDs, and would exempt a person or entity that acquires an AED for emergency care from liability for civil damages resulting from any acts or omissions in the rendering of emergency care if certain requirements have been met. The bill would make these provisions operative on January 1, 2017.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Chapter 3 (commencing with Section 19300) is added to Part 3 of Division 13 of the Health and Safety Code, to read:

CHAPTER 3. Automated External Defibrillators

19300. (a) This chapter applies to all of the following structures, as defined in Chapter 3 (commencing with Section 301.1) of Part 2, the California Building Code, of Title 24, the California Building Standards Code, of the California Code of Regulations, that are constructed on or after January 1, 2017:

(1) Group A assembly buildings with an occupancy of greater than 300.

- (2) Group B business buildings with an occupancy of 200 or more.
 - (3) Group E educational buildings with an occupancy of 200 or more.
 - (4) Group F factory buildings with an occupancy of 200 or more.
 - (5) Group I institutional buildings with an occupancy of 200 or more.
 - (6) Group M mercantile buildings with an occupancy of 200 or more.
 - (7) Group R residential buildings with an occupancy of 200 or more, excluding single-family and multifamily dwelling units.
- (b) A structure described in subdivision (a) that is an occupied structure shall have an automated external defibrillator (AED) on the premises subject to the requirements in Section 1797.196. A person or entity that acquires an AED for emergency care pursuant to this section shall not be liable for any civil damages resulting from any acts or omissions in the rendering of the emergency care by use of an AED if that person or entity has complied with subdivision (b) of Section 1797.196.
- (c) (1) This chapter shall not apply to a structure in subdivision (a) that is owned or operated by any local government entity.
- (2) This chapter shall not apply to a health facility licensed under subdivision (a), (b), (c), or (f) of Section 1250 of the Health and Safety Code.
- (d) This chapter shall not be construed to apply to a structure that is vacant or under construction or renovation.
- (e) This chapter shall become operative on January 1, 2017.