

ASSEMBLY BILL

No. 2217

Introduced by Assembly Member Melendez

February 20, 2014

An act to add Section 49416 to the Education Code, relating to pupil health.

LEGISLATIVE COUNSEL'S DIGEST

AB 2217, as introduced, Melendez. Pupil and personnel health: automatic external defibrillators.

Existing law authorizes a school district or school to provide a comprehensive program in first aid or cardiopulmonary resuscitation training, or both, to pupils and employees, and requires the program to be developed using specified guidelines.

This bill would state the intent of the Legislature to encourage all public schools to acquire and maintain at least one automatic external defibrillator (AED). The bill would authorize a public school to solicit and receive nonstate funds to acquire and maintain an AED. The bill would provide that the school district and employees of the school district are not liable for civil damages resulting from certain uses, attempted, uses, or nonuses of an AED, except as provided.

Vote: majority. Appropriation: no. Fiscal committee: no. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 49416 is added to the Education Code,
2 to read:

- 1 49416. (a) It is the intent of the Legislature to encourage all
2 public schools to acquire and maintain at least one automatic
3 external defibrillator (AED).
- 4 (b) A public school may solicit and receive nonstate funds to
5 acquire and maintain an AED. These funds shall only be used to
6 acquire and maintain an AED and to provide training to school
7 employees regarding use of an AED.
- 8 (c) Except as provided in subdivision (d), if an employee of a
9 school district complies with Section 1714.21 of the Civil Code
10 in rendering emergency care or treatment through the use,
11 attempted use, or nonuse of an AED at the scene of an emergency,
12 the school district and the employee shall not be liable for any civil
13 damages resulting from any act or omission in rendering the
14 emergency care or treatment.
- 15 (d) Subdivision (c) does not apply in the case of personal injury
16 or wrongful death that results from gross negligence or willful or
17 wanton misconduct on the part of the person who uses, attempts
18 to use, or maliciously fails to use an AED to render emergency
19 care or treatment.
- 20 (e) This section does not alter the requirements of Section
21 1797.196 of the Health and Safety Code.