

Introduced by Senator HuesoFebruary 19, 2015

An act to add Chapter 3 (commencing with Section 193000) to Part 3 of Division 13 of the Health and Safety Code, relating to automated external defibrillators.

LEGISLATIVE COUNSEL'S DIGEST

SB 287, as introduced, 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 EMS 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 certain uses, attempted uses, or nonuses of an AED, 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 proceeding 30 days. Existing law also provides that a person or entity who provides AED training to a person who renders emergency care is not liable for any civil damages, as specified.

This bill would require certain structures that are not owned or operated by the state or any local government entity and are constructed on or after January 1, 2016, to have an AED on the premises. This 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 supplies an AED from liability for civil damages resulting from certain uses, attempted uses, or nonuses of an AED, as specified.

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. Chapter 3 (commencing with Section 193000)
2 is added to Part 3 of Division 13 of the Health and Safety Code,
3 to read:

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5 CHAPTER 3. AUTOMATED EXTERNAL DEFIBRILLATORS
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7 193000. (a) This section applies to all of the following
8 structures, as defined in Chapter 3 of Title 24 of the California
9 Code of Regulations, that are constructed on or after January 1,
10 2016:

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

13 (2) Group B business buildings with an occupancy of 200 or
14 more.

15 (3) Group E educational buildings with an occupancy of 200 or
16 more.

17 (4) Group F factory buildings with an occupancy of 200 or more.

18 (5) Group H high hazard buildings with an occupancy of 200
19 or more.

20 (6) Group I institutional buildings with and occupancy of 200
21 or more.

22 (7) Group M mercantile buildings with an occupancy of 200 or
23 more.

24 (8) Group R residential buildings with an occupancy of 200 or
25 more, excluding single-family and multi-family dwelling units.

26 (9) Group S storage buildings with an occupancy of 200 or
27 more, excluding parking garages.

28 (b) A structure described in subdivision (a) shall have an
29 automated external defibrillator (AED) on the premises subject to
30 the requirements in Section 1797.196. A person or entity that
31 supplies an AED pursuant to this section shall not be liable for any
32 civil damages pursuant to Section 1797.196 of this code and
33 Section 1714.21 of the Civil Code.

1 (c) This section does not apply to a structure in subdivision (a)
2 that is owned or operated by the state or any local government
3 entity.

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