

AMENDED IN ASSEMBLY JULY 8, 2015

AMENDED IN ASSEMBLY JUNE 23, 2015

SENATE BILL

No. 287

Introduced by Senator Hueso

February 19, 2015

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.

LEGISLATIVE COUNSEL'S DIGEST

SB 287, as amended, 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 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 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, 2016~~, 1, 2017, to have an AED on the premises. ~~This~~

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 supplies an AED from liability for civil damages resulting from certain uses, attempted uses, or nonuses of an AED, as specified. The bill would make these provisions operative on January 1, 2017.

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

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

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

4
5 CHAPTER 3. AUTOMATED EXTERNAL DEFIBRILLATORS
6

7 19300. (a) This chapter applies to all of the following
8 structures, as defined in Chapter 3 (commencing with Section
9 301.1) of Part 2, the California Building Code, of Title 24, the
10 California Building Standards Code, of the California Code of
11 Regulations, that are constructed on or after January 1, 2016: 1,
12 2017:

- 13 (1) Group A assembly buildings with an occupancy of greater
14 than 300.
- 15 (2) Group B business buildings with an occupancy of 200 or
16 more.
- 17 (3) Group E educational buildings with an occupancy of 200 or
18 more.
- 19 (4) Group F factory buildings with an occupancy of 200 or more.
- 20 ~~(5) Group H high-hazard buildings with an occupancy of 200~~
21 ~~or more.~~
- 22 ~~(6)~~
- 23 (5) Group I institutional buildings with an occupancy of 200 or
24 more.
- 25 ~~(7)~~
- 26 (6) Group M mercantile buildings with an occupancy of 200 or
27 more.
- 28 ~~(8)~~
- 29 (7) Group R residential buildings with an occupancy of 200 or
30 more, excluding single-family and multifamily dwelling units.

1 ~~(9) Group S storage buildings with an occupancy of 200 or~~
2 ~~more, excluding parking garages.~~

3 (b) A structure described in subdivision (a) *that is an occupied*
4 *structure* shall have an automated external defibrillator (AED) on
5 the premises subject to the requirements in Section 1797.196. A
6 person or entity that supplies an AED pursuant to this section shall
7 not be liable for any civil damages pursuant to Section 1797.196
8 of this code and Section 1714.21 of the Civil Code.

9 (c) ~~(1)~~ This chapter ~~does~~ *shall* not apply to a structure in
10 subdivision (a) that is owned or operated by any local government
11 entity.

12 *(2) This chapter shall not apply to a health facility licensed*
13 *under subdivision (a), (b), (c), or (f) of Section 1250 of the Health*
14 *and Safety Code.*

15 *(d) This chapter shall not be construed to apply to a structure*
16 *that is vacant or under construction or renovation.*

17 *(e) This chapter shall become operative on January 1, 2017.*