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2 An act relating to automatic external  
3 defibrillators; providing legislative intent  
4 that automatic external defibrillators may be  
5 used by any person; requiring persons to obtain  
6 training and to activate the emergency medical  
7 services system upon use of a defibrillator;  
8 encouraging certain persons and entities to  
9 register a defibrillator; repealing s. 401.291,  
10 F.S., relating to automatic external  
11 defibrillators; amending s. 768.13, F.S.;  
12 providing immunity from liability for certain  
13 persons; providing an effective date.

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15 WHEREAS, the Legislature finds that the number of  
16 deaths due to sudden cardiac arrest is too high, and

17 WHEREAS, the key to preventing this high number of  
18 deaths is to dramatically expand the availability of  
19 defibrillation therapy in a timely fashion, and

20 WHEREAS, recent breakthroughs in automatic external  
21 defibrillator technology have resulted in the availability of  
22 devices that have proven to be exceptionally safe and  
23 effective in treating sudden cardiac arrest, and

24 WHEREAS, these new devices are virtually  
25 maintenance-free, safe and easy to use with minimum training,  
26 small, lightweight, durable, and less expensive, and

27 WHEREAS, the widespread availability of these new  
28 devices will make sudden cardiac arrest a truly treatable  
29 disease, preventing hundreds of unnecessary deaths, and

30 WHEREAS, the Legislature has determined that it is in  
31 the public interest to make these devices readily available to

1 the general public, but that the public be trained to properly  
2 use these devices and to activate the emergency medical  
3 services system immediately upon using the device, NOW,  
4 THEREFORE,

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6 Be It Enacted by the Legislature of the State of Florida:

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8           Section 1. It is the intent of the Legislature that an  
9 automatic external defibrillator may be used by any person for  
10 the purpose of saving the life of another person in cardiac  
11 arrest. In order to ensure public health and safety:

12           (1) All persons who have access to or use an automatic  
13 external defibrillator must obtain appropriate training, to  
14 include completion of a course in cardiopulmonary  
15 resuscitation or successful completion of a basic first-aid  
16 course that includes cardiopulmonary resuscitation training,  
17 and demonstrated proficiency in the use of an automatic  
18 external defibrillator;

19           (2) Any person or entity in possession of an automatic  
20 external defibrillator is encouraged to register with the  
21 local emergency medical services medical director the  
22 existence and location of the automatic external  
23 defibrillator; and

24           (3) Any person who uses an automatic external  
25 defibrillator is required to activate the emergency medical  
26 services system as soon as possible upon use of the automatic  
27 external defibrillator.

28           Section 2. Section 401.291, Florida Statutes, is  
29 hereby repealed.

30           Section 3. Subsection (4) is added to section 768.13,  
31 Florida Statutes, to read:

1           768.13 Good Samaritan Act; immunity from civil  
2 liability.--

3           (4) Any person, including those licensed to practice  
4 medicine, who gratuitously and in good faith renders emergency  
5 care or treatment by the use of or provision of an automatic  
6 external defibrillator, without objection of the injured  
7 victim or victims thereof, shall not be held liable for any  
8 civil damages as a result of such care or treatment or as a  
9 result of any act or failure to act in providing or arranging  
10 further medical treatment where the person acts as an ordinary  
11 reasonably prudent person would have acted under the same or  
12 similar circumstances.

13           Section 4. This act shall take effect upon becoming a  
14 law.