

1 A bill to be entitled
 2 An act relating to automated external defibrillators;
 3 amending s. 401.2915, F.S.; authorizing certain businesses
 4 to have automated external defibrillators on their
 5 premises; providing for training in the operation and
 6 maintenance thereof by the local emergency medical
 7 services provider at no cost to the business; providing
 8 immunity from civil liability; amending s. 212.08, F.S.;
 9 providing an exemption from the tax on sales, use, and
 10 other transactions for automated external defibrillators
 11 purchased by certain businesses; providing an effective
 12 date.

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

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 16 Section 1. Section 401.2915, Florida Statutes, is amended
 17 to read:

18 401.2915 Automated external defibrillators.--It is the
 19 intent of the Legislature that an automated external
 20 defibrillator may be used by any person for the purpose of
 21 saving the life of another person in cardiac arrest. In order to
 22 ensure public health and safety:

23 (1) All persons who use an automated external
 24 defibrillator must obtain appropriate training, to include
 25 completion of a course in cardiopulmonary resuscitation or
 26 successful completion of a basic first aid course that includes
 27 cardiopulmonary resuscitation training, and demonstrated
 28 proficiency in the use of an automated external defibrillator.÷

CODING: Words ~~stricken~~ are deletions; words underlined are additions.

29 (2) Any person or entity in possession of an automated
 30 external defibrillator is encouraged to register with the local
 31 emergency medical services medical director the existence and
 32 location of the automated external defibrillator. ~~;~~ and

33 (3) Any person who uses an automated external
 34 defibrillator is required to activate the emergency medical
 35 services system as soon as possible upon use of the automated
 36 external defibrillator.

37 (4) Any business entity as defined in s. 606.03 may have
 38 an automated external defibrillator on the premises and shall
 39 ensure that employees are properly trained in the operation and
 40 maintenance thereof, pursuant to subsection (1). Such training
 41 shall be provided by the local emergency medical services
 42 provider at no cost to the business. The use of automated
 43 external defibrillators by employees shall be covered under the
 44 provisions of ss. 768.13 and 768.1325.

45 Section 2. Paragraph (ccc) is added to subsection (7) of
 46 section 212.08, Florida Statutes, to read:

47 212.08 Sales, rental, use, consumption, distribution, and
 48 storage tax; specified exemptions.--The sale at retail, the
 49 rental, the use, the consumption, the distribution, and the
 50 storage to be used or consumed in this state of the following
 51 are hereby specifically exempt from the tax imposed by this
 52 chapter.

53 (7) MISCELLANEOUS EXEMPTIONS.--Exemptions provided to any
 54 entity by this chapter do not inure to any transaction that is
 55 otherwise taxable under this chapter when payment is made by a
 56 representative or employee of the entity by any means,

57 including, but not limited to, cash, check, or credit card, even
58 when that representative or employee is subsequently reimbursed
59 by the entity. In addition, exemptions provided to any entity by
60 this subsection do not inure to any transaction that is
61 otherwise taxable under this chapter unless the entity has
62 obtained a sales tax exemption certificate from the department
63 or the entity obtains or provides other documentation as
64 required by the department. Eligible purchases or leases made
65 with such a certificate must be in strict compliance with this
66 subsection and departmental rules, and any person who makes an
67 exempt purchase with a certificate that is not in strict
68 compliance with this subsection and the rules is liable for and
69 shall pay the tax. The department may adopt rules to administer
70 this subsection.

71 (ccc) Automated external defibrillators.--The cost of an
72 automated external defibrillator purchased by a business entity
73 as defined in s. 606.03 is exempt from the tax imposed by this
74 chapter.

75 Section 3. This act shall take effect July 1, 2005.