

CHAMBER ACTION

1 The Business Regulation Committee recommends the following:

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3 **Council/Committee Substitute**

4 Remove the entire bill and insert:

5 A bill to be entitled

6 An act relating to automated external defibrillators;
7 amending s. 401.2915, F.S.; authorizing certain businesses
8 to have automated external defibrillators on their
9 premises; providing for training of employees in the
10 operation and maintenance thereof; providing immunity from
11 civil liability; amending s. 212.08, F.S.; providing an
12 exemption from the tax on sales, use, and other
13 transactions for automated external defibrillators
14 purchased by certain businesses; providing an effective
15 date.

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

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19 Section 1. Section 401.2915, Florida Statutes, is amended
20 to read:

21 401.2915 Automated external defibrillators.--It is the
22 intent of the Legislature that an automated external
23 defibrillator may be used by any person for the purpose of

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24 | saving the life of another person in cardiac arrest. In order to
25 | ensure public health and safety:

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

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

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

40 | (4) Any business entity as defined in s. 606.03 may have
41 | an automated external defibrillator on the premises and shall
42 | ensure that employees are properly trained in the operation and
43 | maintenance thereof. In lieu of subsection (1), training under
44 | this subsection may be provided by the business using the
45 | training materials provided by the manufacturer of the automated
46 | external defibrillator. Authorized formats for such training
47 | include printed instructions or VHS, DVD, CD-ROM, or on-line
48 | training. The use of automated external defibrillators by
49 | employees shall be covered under the provisions of ss. 768.13
50 | and 768.1325.

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

53 212.08 Sales, rental, use, consumption, distribution, and
54 storage tax; specified exemptions.--The sale at retail, the
55 rental, the use, the consumption, the distribution, and the
56 storage to be used or consumed in this state of the following
57 are hereby specifically exempt from the tax imposed by this
58 chapter.

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

77 (ccc) Automated external defibrillators.--The cost of an
78 automated external defibrillator purchased by a business entity

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79 | as defined in s. 606.03 is exempt from the tax imposed by this
80 | chapter.

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