

By Senator Geller

31-1604-05

See HB

1                                   A bill to be entitled

2           An act relating to automated external

3           defibrillators; amending s. 401.2915, F.S.;

4           authorizing certain businesses to have

5           automated external defibrillators on their

6           premises; providing for training in the

7           operation and maintenance thereof by the local

8           emergency medical services provider at no cost

9           to the business; providing immunity from civil

10          liability; amending s. 212.08, F.S.; providing

11          an exemption from the tax on sales, use, and

12          other transactions for automated external

13          defibrillators purchased by certain businesses;

14          providing an effective date.

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

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

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

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

1           (2) Any person or entity in possession of an automated  
2 external defibrillator is encouraged to register with the  
3 local emergency medical services medical director the  
4 existence and location of the automated external  
5 defibrillator. ~~;~~ and

6           (3) Any person who uses an automated external  
7 defibrillator is required to activate the emergency medical  
8 services system as soon as possible upon use of the automated  
9 external defibrillator.

10           (4) Any business entity as defined in s. 606.03 may  
11 have an automated external defibrillator on the premises and  
12 shall ensure that employees are properly trained in the  
13 operation and maintenance thereof, pursuant to subsection (1).  
14 Such training shall be provided by the local emergency medical  
15 services provider at no cost to the business. The use of  
16 automated external defibrillators by employees shall be  
17 covered under the provisions of ss. 768.13 and 768.1325.

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

20           212.08 Sales, rental, use, consumption, distribution,  
21 and storage tax; specified exemptions.--The sale at retail,  
22 the rental, the use, the consumption, the distribution, and  
23 the storage to be used or consumed in this state of the  
24 following are hereby specifically exempt from the tax imposed  
25 by this chapter.

26           (7) MISCELLANEOUS EXEMPTIONS.--Exemptions provided to  
27 any entity by this chapter do not inure to any transaction  
28 that is otherwise taxable under this chapter when payment is  
29 made by a representative or employee of the entity by any  
30 means, including, but not limited to, cash, check, or credit  
31 card, even when that representative or employee is

1 subsequently reimbursed by the entity. In addition, exemptions  
2 provided to any entity by this subsection do not inure to any  
3 transaction that is otherwise taxable under this chapter  
4 unless the entity has obtained a sales tax exemption  
5 certificate from the department or the entity obtains or  
6 provides other documentation as required by the department.  
7 Eligible purchases or leases made with such a certificate must  
8 be in strict compliance with this subsection and departmental  
9 rules, and any person who makes an exempt purchase with a  
10 certificate that is not in strict compliance with this  
11 subsection and the rules is liable for and shall pay the tax.  
12 The department may adopt rules to administer this subsection.

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

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