

CHAMBER ACTION

1 The Criminal Justice 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.; revising legislative intent
8 with respect to the use of an automated external
9 defibrillator; defining an automated external
10 defibrillator as a lifesaving defibrillation device;
11 defining a related term; providing penalties for specified
12 actions; providing for the licensing, permitting, and
13 inspecting of automated external defibrillators to be
14 governed by municipal ordinance; providing for enforcement
15 methods for violation of the ordinance; providing an
16 effective date.

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

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

22 401.2915 Automated external defibrillators.--It is the
23 intent of the Legislature that an automated external

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24 | defibrillator may be used by any person for the purpose of
 25 | saving the life of another person in cardiac arrest. In order to
 26 | achieve that goal, the Legislature intends to encourage training
 27 | in lifesaving first aid, set standards for the use of automated
 28 | external defibrillators, and encourage their use.

29 | (1) As used in this section, the term:

30 | (a) "Automated external defibrillator" means a lifesaving
 31 | defibrillation device that:

32 | 1. Is commercially distributed as a defibrillation device
 33 | in accordance with the Federal Food, Drug, and Cosmetic Act.

34 | 2. Is capable of recognizing the presence or absence of
 35 | ventricular fibrillation and is capable of determining, without
 36 | intervention by the user of the device, if defibrillation should
 37 | be performed.

38 | 3. Is capable of delivering an electrical shock to an
 39 | individual, upon determining that defibrillation should be
 40 | performed.

41 | (b) "Defibrillation" means the administration of a
 42 | controlled electrical charge to the heart to restore a viable
 43 | cardiac rhythm.

44 | (2) In order to ensure public health and safety:

45 | (a)~~(1)~~ All persons who use an automated external
 46 | defibrillator must obtain appropriate training, to include
 47 | completion of a course in cardiopulmonary resuscitation or
 48 | successful completion of a basic first aid course that includes
 49 | cardiopulmonary resuscitation training, and demonstrated
 50 | proficiency in the use of an automated external defibrillator.

51 (b)(2) Any person or entity in possession of an automated
 52 external defibrillator is encouraged to register with the local
 53 emergency medical services medical director the existence and
 54 location of the automated external defibrillator. ~~;~~ ~~and~~

55 (c)(3) Any person who uses an automated external
 56 defibrillator shall ~~is required to~~ activate the emergency
 57 medical services system as soon as possible upon use of the
 58 automated external defibrillator.

59 (3) It is a misdemeanor of the first degree, punishable as
 60 provided in s. 775.082 or s. 775.083, to intentionally or
 61 willfully:

62 (a) Tamper with or otherwise render an automated external
 63 defibrillator inoperative except during such time as the
 64 automated external defibrillator is being serviced, tested,
 65 repaired, or recharged, except pursuant to court order.

66 (b) Obliterate the serial number on an automated external
 67 defibrillator for purposes of falsifying service records.

68 (4) A municipal ordinance may require a person to obtain a
 69 license, permit, or inspection certificate for automated
 70 external defibrillators. Such ordinance may provide for any
 71 enforcement method authorized by s. 162.22. The ordinance may
 72 provide that it is an infraction or a criminal offense for any
 73 person to intentionally or willfully:

74 (a) Improperly service, recharge, repair, test, or inspect
 75 an automated external defibrillator.

76 (b) Use the license, permit, or inspection certificate of
 77 another person to service, recharge, repair, test, or inspect an
 78 automated external defibrillator.

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79 (c) Hold a permit or inspection certificate and allow
80 another person to use that permit or inspection certificate
81 number to service, recharge, repair, test, or inspect an
82 automated external defibrillator.

83 (d) Use or permit the use of any license, permit, or
84 inspection certificate by any individual or organization other
85 than the one to whom the license, permit, or inspection
86 certificate is issued to service, recharge, repair, test, or
87 inspect an automated external defibrillator.

88 Section 2. This act shall take effect July 1, 2005.