

By Senator Geller

31-270-06

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 of automated external  
8           defibrillators by the local emergency medical  
9           services provider at no cost to the business;  
10          providing immunity from civil liability;  
11          amending s. 212.08, F.S.; providing an  
12          exemption from the tax on sales, use, and other  
13          transactions for automated external  
14          defibrillators purchased by certain businesses;  
15          providing an effective 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  
20 amended 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  
24 saving the life of another person in cardiac arrest. In order  
25 to 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  
30 includes cardiopulmonary resuscitation training, and  
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1 demonstrated proficiency in the use of an automated external  
2 defibrillator.

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

8 (3) Any person who uses an automated external  
9 defibrillator shall activate the emergency medical services  
10 system as soon as possible upon use of the automated external  
11 defibrillator.

12 (4) Each local and state law enforcement vehicle may  
13 carry an automated external defibrillator.

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

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

25 212.08 Sales, rental, use, consumption, distribution,  
26 and storage tax; specified exemptions.--The sale at retail,  
27 the rental, the use, the consumption, the distribution, and  
28 the storage to be used or consumed in this state of the  
29 following are hereby specifically exempt from the tax imposed  
30 by this chapter.  
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1           (7) MISCELLANEOUS EXEMPTIONS.--Exemptions provided to  
2 any entity by this chapter do not inure to any transaction  
3 that is otherwise taxable under this chapter when payment is  
4 made by a representative or employee of the entity by any  
5 means, including, but not limited to, cash, check, or credit  
6 card, even when that representative or employee is  
7 subsequently reimbursed by the entity. In addition, exemptions  
8 provided to any entity by this subsection do not inure to any  
9 transaction that is otherwise taxable under this chapter  
10 unless the entity has obtained a sales tax exemption  
11 certificate from the department or the entity obtains or  
12 provides other documentation as required by the department.  
13 Eligible purchases or leases made with such a certificate must  
14 be in strict compliance with this subsection and departmental  
15 rules, and any person who makes an exempt purchase with a  
16 certificate that is not in strict compliance with this  
17 subsection and the rules is liable for and shall pay the tax.  
18 The department may adopt rules to administer this subsection.

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

23           Section 3. This act shall take effect July 1, 2006.

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26                                   SENATE SUMMARY

27           Authorizes certain businesses to have automated external  
28 defibrillators on their premises. Provides for training  
29 in the operation and maintenance of automated external  
30 defibrillators by the local emergency medical services  
31 provider at no cost to the business. Provides immunity  
from civil liability. Provides an exemption from the tax  
on sales, use, and other transactions for automated  
external defibrillators purchased by certain businesses.