

By the Committee on Health Regulation; and Senators Wise and Constantine

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A bill to be entitled

An act relating to automated external defibrillators; amending s. 212.08, F.S.; providing a sales and use tax exemption for automated external defibrillators; amending s. 401.2915, F.S.; revising provisions relating to maintenance and training requirements and notice to the local emergency medical services medical director; providing an effective date.

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

Section 1. Present paragraph (k) of subsection (2) of section 212.08, Florida Statutes, is redesignated as paragraph (l), and a new paragraph (k) is added to that subsection, to read:

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

(2) EXEMPTIONS; MEDICAL.--

(k) Automated external defibrillators, as defined in s. 768.1325, are exempt.

Section 2. Paragraphs (a) and (b) of subsection (2) of section 401.2915, Florida Statutes, are amended to read:

401.2915 Automated external defibrillators.--It is the intent of the Legislature that an automated external defibrillator may be used by any person for the purpose of saving the life of another person in cardiac arrest. In order

1 to achieve that goal, the Legislature intends to encourage
2 training in lifesaving first aid and set standards for and
3 encourage the use of automated external defibrillators.

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

5 (a) Any person or entity in possession of an automated
6 external defibrillator shall:

7 1. Properly maintain and test the device.

8 2. Provide training in cardiopulmonary resuscitation
9 and automated external defibrillator proficiency from the
10 American Heart Association or the American Red Cross, or a
11 substantially similar program from another provider, to any of
12 its employees or agents who are reasonably expected to be
13 potential users of the defibrillator. All persons who use an
14 automated external defibrillator must obtain appropriate
15 training, to include completion of a course in cardiopulmonary
16 resuscitation or successful completion of a basic first aid
17 course that includes cardiopulmonary resuscitation training,
18 and demonstrated proficiency in the use of an automated
19 external defibrillator.

20 (b) Any person or entity in possession of an automated
21 external defibrillator is encouraged to notify ~~register with~~
22 the local emergency medical services medical director of the
23 ~~existence and~~ location of the automated external
24 defibrillator.

25 Section 3. This act shall take effect July 1, 2007.
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STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
COMMITTEE SUBSTITUTE FOR
Senate Bill 1168

The committee substitute expands the sales tax exemption from businesses to any person who purchases an automated external defibrillator. The bill deletes revisions that the original bill would have made to the Cardiac Arrest Survival Act which provides immunity from civil liability to users of automated external defibrillators under specified circumstances.