

**HOUSE . . . . . No. 1341**

The Commonwealth of Massachusetts

PRESENTED BY:

*Sean Garballey*

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the passage of the accompanying bill:

An Act relative to defibrillators in health clubs.

PETITION OF:

NAME:	DISTRICT/ADDRESS:
<i>Sean Garballey</i>	<i>23rd Middlesex</i>
<i>Louis L. Kafka</i>	<i>8th Norfolk</i>
<i>Frank I. Smizik</i>	<i>15th Norfolk</i>
<i>Michael F. Rush</i>	<i>Norfolk and Suffolk</i>
<i>Michael J. Rodrigues</i>	<i>First Bristol and Plymouth</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>
<i>Bruce J. Ayers</i>	<i>1st Norfolk</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>
<i>William N. Brownsberger</i>	<i>Second Suffolk and Middlesex</i>
<i>John F. Keenan</i>	<i>Norfolk and Plymouth</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>
<i>Walter F. Timilty</i>	<i>7th Norfolk</i>
<i>Edward F. Copping</i>	<i>10th Suffolk</i>
<i>John J. Lawn, Jr.</i>	<i>10th Middlesex</i>
<i>Denise Andrews</i>	<i>2nd Franklin</i>
<i>John W. Scibak</i>	<i>2nd Hampshire</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>

<i>David Paul Linsky</i>	<i>5th Middlesex</i>
<i>Thomas J. Calter</i>	<i>12th Plymouth</i>
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>
<i>Russell E. Holmes</i>	<i>6th Suffolk</i>

**HOUSE . . . . . No. 1341**

---

---

By Mr. Garballey of Arlington, a petition (accompanied by bill, House, No. 1341) of Sean Garballey and others relative to actions against health clubs or their employees that arise in connection with the use or non-use of defibrillators. The Judiciary.

---

---

[SIMILAR MATTER FILED IN PREVIOUS SESSION

SEE

HOUSE  
 , NO. 2230 OF 2011-2012.]

The Commonwealth of Massachusetts

\_\_\_\_\_  
**In the Year Two Thousand Thirteen**  
\_\_\_\_\_

An Act relative to defibrillators in health clubs.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 SECTION 1. Section 86 of Chapter 93 of the General Laws, as appearing in the 2012  
2 Official Edition, is hereby amended by striking out the second paragraph and entering the  
3 following sentence:-

4 “Absent a showing of gross negligence or willful or wanton misconduct, no cause of  
5 action against a health club or its employees may arise in connection with the use of a  
6 defibrillator.”