

1 **AUTOMATIC EXTERNAL DEFIBRILLATOR ACCOUNT**

2 2013 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Rich Cunningham**

5 Senate Sponsor: _____

6

7 **LONG TITLE**

8 **General Description:**

9 This bill creates the Automatic External Defibrillator Account.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ creates the Automatic External Defibrillator Account;
- 13 ▶ provides for the use of account funds;
- 14 ▶ grants rulemaking authority to the Bureau of Emergency Medical Services for the
- 15 use of account funds; and
- 16 ▶ establishes restrictions on how account funds may be used.

17 **Money Appropriated in this Bill:**

18 This bill appropriates in fiscal year 2014:

- 19 ▶ to the General Fund Restricted - Automatic External Defibrillator Account, as a
- 20 one-time appropriation:
- 21 • from the General Fund Restricted - Tobacco Settlement Restricted Account,
- 22 \$500,000
- 23 ▶ to the General Fund Restricted - Automatic External Defibrillator Account, as an
- 24 ongoing appropriation:
- 25 • from General Fund Restricted - Cigarette Tax Restricted Account, \$500,000.

26 **Other Special Clauses:**

27 None



28 **Utah Code Sections Affected:**

29 AMENDS:

30 **26-8b-102**, as enacted by Laws of Utah 2009, Chapter 22

31 ENACTS:

32 **26-8b-601**, Utah Code Annotated 1953

33 **26-8b-602**, Utah Code Annotated 1953



35 *Be it enacted by the Legislature of the state of Utah:*

36 Section 1. Section **26-8b-102** is amended to read:

37 **26-8b-102. Definitions.**

38 As used in this chapter:

39 (1) "Account" means the Automatic External Defibrillator Account, created in Section
40 26-8b-602.

41 [~~(1)~~] (2) "Automatic external defibrillator" or "AED" means an automated or automatic
42 computerized medical device that:

43 (a) has received pre-market notification approval from the United States Food and
44 Drug Administration, pursuant to Section 360(k), Title 21 of the United States Code;

45 (b) is capable of recognizing the presence or absence of ventricular fibrillation or rapid
46 ventricular tachycardia;

47 (c) is capable of determining, without intervention by an operator, whether
48 defibrillation should be performed; and

49 (d) upon determining that defibrillation should be performed, automatically charges,
50 enabling delivery of an electrical impulse through the chest wall and to a person's heart.

51 [~~(2)~~] (3) "Bureau" means the Bureau of Emergency Medical Services, within the
52 department.

53 [~~(3)~~] (4) "Cardiopulmonary resuscitation" or "CPR" means artificial ventilation or
54 external chest compression applied to a person who is in respiratory or cardiac arrest.

55 [~~(4)~~] (5) "Emergency medical dispatch center" means a public safety answering point,
56 as defined in Section 63C-7-103, that is designated as an emergency medical dispatch center by
57 the bureau.

58 [~~(5)~~] (6) "Sudden cardiac arrest" means a life-threatening condition that results when a

59 person's heart stops or fails to produce a pulse.

60 Section 2. Section **26-8b-601** is enacted to read:

61 **Part 6. Automatic External Defibrillator Account**

62 **26-8b-601. Title.**

63 This part is known as the "Automatic External Defibrillator Account."

64 Section 3. Section **26-8b-602** is enacted to read:

65 **26-8b-602. Automatic External Defibrillator Account.**

66 (1) (a) There is created a restricted account within the General Fund known as the
67 Automatic External Defibrillator Account to provide AEDs to law enforcement and schools.

68 (b) The director of the bureau shall administer the account in accordance with rules
69 made by the bureau in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking
70 Act.

71 (2) The restricted account shall consist of money appropriated to the account by the
72 Legislature.

73 (3) The director of the bureau shall distribute funds deposited in the account to eligible
74 entities, under Subsection (4), for the purpose of purchasing:

75 (a) an AED;

76 (b) an AED carrying case;

77 (c) a wall-mounted AED cabinet; or

78 (d) an AED sign.

79 (4) The director of the bureau shall distribute funds deposited in the account, for the
80 purpose of purchasing items under Subsection (3), to:

81 (a) a municipal law enforcement agency that routinely responds to incidents, or
82 potential incidents, of sudden cardiac arrest; or

83 (b) a school that:

84 (i) offers instruction to grades 10 through 12; and

85 (ii) has a student and faculty population of more than 200 people.

86 (5) In accordance with rules made by the bureau, an agency or school described in
87 Subsection (4) may apply to the director of the bureau to receive a distribution of funds from
88 the account by filing an application with the bureau on or before October 1 of each year.

89 Section 4. **Appropriation.**

90 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
91 the fiscal year beginning July 1, 2013, and ending June 30, 2014, the following sums of money
92 are appropriated from resources not otherwise appropriated, or reduced from amounts
93 previously appropriated, out of the funds or accounts indicated. These sums of money are in
94 addition to any amounts previously appropriated for fiscal year 2014.

95 To General Fund Restricted - Automatic External Defibrillator Account

96 From General Fund Restricted -

97 Tobacco Settlement Restricted Account, One-Time \$500,000

98 Schedule of Programs

99 General Fund Restricted -

100 Automatic External Defibrillator Account \$500,000

101 Under the terms and conditions of Title 63J, Chapter 1, Budgetary Procedures Act, for
102 the fiscal year beginning July 1, 2014, and ending June 30, 2015, the following sums of money
103 are appropriated from resources not otherwise appropriated, or reduced from amounts
104 previously appropriated, out of the funds or accounts indicated. These sums of money are in
105 addition to any amounts previously appropriated for fiscal year 2015.

106 To General Fund Restricted - Automatic External Defibrillator Account

107 From General Fund Restricted -

108 Cigarette Tax Restricted Account \$500,000

109 Schedule of Programs

110 General Fund Restricted -

111 Automatic External Defibrillator Account \$500,000

112 The Legislature intends that:

113 (1) the Bureau of Emergency Services use appropriations under this section to provide
114 automatic external defibrillators to municipal law enforcement agencies and schools under
115 Section 26-8a-601; and

116 (2) the appropriations under this section be ongoing in fiscal years 2014, 2015, 2016,
117 2017, and 2018 only.

Legislative Review Note
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Office of Legislative Research and General Counsel