

By: VanDeaver, Kuempel

H.B. No. 4375

A BILL TO BE ENTITLED

1 AN ACT

2 relating to instruction in cardiopulmonary resuscitation and the
3 use of an automated external defibrillator in public schools.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. The heading to Section 7.026, Education Code, is
6 amended to read as follows:

7 Sec. 7.026. DONATIONS FOR USE RELATED TO CARDIOPULMONARY
8 RESUSCITATION (CPR) AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED)
9 INSTRUCTION.

10 SECTION 2. Section 7.026(a), Education Code, is amended to
11 read as follows:

12 (a) The agency may accept donations, including donations of
13 equipment, for use in providing instruction in cardiopulmonary
14 resuscitation (CPR) and the use of an automated external
15 defibrillator (AED) [~~instruction~~] to students. The agency:

16 (1) shall distribute the donations to school districts
17 for the purpose of providing CPR and AED instruction to students
18 under Sections 28.0023 and 29.903; and

19 (2) may use a portion of the donations to the extent
20 necessary to pay administrative expenses related to the donations.

21 SECTION 3. Sections 28.0023(b), (c), (e), and (g),
22 Education Code, are amended to read as follows:

23 (b) The State Board of Education by rule shall require
24 instruction in cardiopulmonary resuscitation and the use of an

1 automated external defibrillator, for students in grades 7 through
2 12.

3 (c) A school district or open-enrollment charter school
4 shall provide instruction to students in grades 7 through 12 in
5 cardiopulmonary resuscitation and the use of an automated external
6 defibrillator in a manner consistent with the requirements of this
7 section and State Board of Education rules adopted under this
8 section. The instruction may be provided as a part of any course. A
9 student shall receive the instruction at least once before
10 graduation.

11 (e) Cardiopulmonary resuscitation instruction must include
12 training in cardiopulmonary resuscitation techniques and the use of
13 an automated external defibrillator that has been developed:

14 (1) by the American Heart Association or the American
15 Red Cross; or

16 (2) using nationally recognized, evidence-based
17 guidelines for emergency cardiovascular care and incorporating
18 psychomotor skills to support the instruction.

19 (g) A school district or open-enrollment charter school may
20 use emergency medical technicians, paramedics, police officers,
21 firefighters, representatives of the American Heart Association or
22 the American Red Cross, teachers, other school employees, or other
23 similarly qualified individuals to provide instruction and
24 training under this section. Instruction provided under this
25 section is not required to result in certification in
26 cardiopulmonary resuscitation or the use of an automated external
27 defibrillator. If instruction is intended to result in

1 certification in cardiopulmonary resuscitation or the use of an
2 automated external defibrillator, the course instructor must be
3 authorized to provide the instruction by the American Heart
4 Association, the American Red Cross, or a similar nationally
5 recognized association.

6 SECTION 4. The heading to Section 29.903, Education Code,
7 is amended to read as follows:

8 Sec. 29.903. CARDIOPULMONARY RESUSCITATION (CPR) AND
9 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) INSTRUCTION; DONATIONS TO
10 SCHOOL DISTRICTS FOR USE IN CPR AND AED INSTRUCTION.

11 SECTION 5. Sections 29.903(a) and (c), Education Code, are
12 amended to read as follows:

13 (a) A school district may accept from the agency donations
14 the agency receives under Section 7.026 for use in providing
15 instruction to students in the principles and techniques of CPR and
16 the use of an AED. A district may accept other donations,
17 including donations of equipment, for use in providing the
18 instruction.

19 (c) A district may use resources other than those made
20 available under Section 7.026 or this section to provide
21 instruction to students in the principles and techniques of CPR and
22 the use of an AED.

23 SECTION 6. This Act applies beginning with the 2023-2024
24 school year.

25 SECTION 7. This Act takes effect immediately if it receives
26 a vote of two-thirds of all the members elected to each house, as
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2023.