

By: VanDeaver

H.B. No. 4375

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

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

SECTION 3. Section 28.0023, Education Code, is amended by amending Subsections (b), (c), (e), and (g) and adding Subsection (h) to read as follows:

(b) The State Board of Education by rule shall require

1 instruction in cardiopulmonary resuscitation and the use of an
2 automated external defibrillator, for students in grades 7 through
3 12.

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

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

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

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

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

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

7 (h) From funds appropriated or otherwise available for the
8 purpose, the commissioner shall develop and award grants to school
9 districts and open-enrollment charter schools to assist the
10 district or school in providing the instruction required by this
11 section.

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

14 Sec. 29.903. CARDIOPULMONARY RESUSCITATION (CPR) AND
15 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) INSTRUCTION; DONATIONS TO
16 SCHOOL DISTRICTS FOR USE IN CPR AND AED INSTRUCTION.

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

19 (a) A school district may accept from the agency donations
20 the agency receives under Section 7.026 for use in providing
21 instruction to students in the principles and techniques of CPR and
22 the use of an AED. A district may accept other donations,
23 including donations of equipment, for use in providing the
24 instruction.

25 (c) A district may use resources other than those made
26 available under Section 7.026 or this section to provide
27 instruction to students in the principles and techniques of CPR and

1 the use of an AED.

2 SECTION 6. This Act applies beginning with the 2023-2024
3 school year.

4 SECTION 7. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect September 1, 2023.