

By: Branch

H.B. No. 2681

A BILL TO BE ENTITLED

AN ACT

relating to the acquisition of an automated external defibrillator.

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

SECTION 1. Section 779.006, Health and Safety Code, is amended to read as follows:

Sec. 779.006. LIABILITY EXEMPTION. A [~~The prescribing physician who authorizes the acquisition of an automated external defibrillator in accordance with this chapter, a~~] person or entity that provides approved training in the use of an automated external defibrillator in accordance with this chapter~~[7]~~ and the person or entity that acquires the automated external defibrillator and meets the requirements of this chapter are not liable for civil damages for such [~~prescription~~7] training~~[7]~~ or acquisition unless the conduct is wilfully or wantonly negligent. Any person or entity that acquires an automated external defibrillator and negligently fails to comply with the requirements of this chapter is liable for civil damages caused by such negligence.

SECTION 2. Section 779.007, Health and Safety Code, is repealed.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2005.