

By: Branch

H.B. No. 92

A BILL TO BE ENTITLED

AN ACT

relating to the acquisition of certain automated external
defibrillators.

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

SECTION 1. Section 779.007, Health and Safety Code, is
amended to read as follows:

Sec. 779.007. POSSESSION OF AUTOMATED EXTERNAL
DEFIBRILLATORS. Each person or entity, other than a licensed
practitioner, that acquires an automated external defibrillator
that has not been approved by the United States Food and Drug
Administration for over-the-counter sale shall ensure that:

(1) the automated external defibrillator has been
delivered to that person or entity by a licensed practitioner in the
course of his professional practice or upon a prescription or other
order lawfully issued in the course of his professional practice;
or

(2) if the automated external defibrillator is
acquired for the purpose of sale or lease, the person or entity
shall be in conformance with the applicable requirements found in
Section 483.041, Health and Safety Code.

SECTION 2. 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

H.B. No. 92

1 Act takes effect September 1, 2007.