By:  VanDeaver, Kuempel (Senate Sponsor - Perry) H.B. No. 4375

(In the Senate - Received from the House May 3, 2023; May 4, 2023, read first time and referred to Committee on Education; May 18, 2023, reported favorably by the following vote: Yeas 12, Nays 0; May 18, 2023, sent to printer.)

COMMITTEE VOTE

                    Yea Nay Absent  PNV

Creighton         X

Campbell             X

Bettencourt          X

Birdwell                       X

Flores               X

King                 X

LaMantia             X

Menéndez             X

Middleton            X

Parker               X

Paxton               X

Springer             X

West                 X

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

(b)  The State Board of Education by rule shall require instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator, for students in grades 7 through 12.

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

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

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

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

(g)  A school district or open-enrollment charter school may use emergency medical technicians, paramedics, police officers, firefighters, representatives of the American Heart Association or the American Red Cross, teachers, other school employees, or other similarly qualified individuals to provide instruction and training under this section. Instruction provided under this section is not required to result in certification in cardiopulmonary resuscitation or the use of an automated external defibrillator. If instruction is intended to result in certification in cardiopulmonary resuscitation or the use of an automated external defibrillator, the course instructor must be authorized to provide the instruction by the American Heart Association, the American Red Cross, or a similar nationally recognized association.

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

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

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

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

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

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

SECTION 7.  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, 2023.

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