

BILL ANALYSIS

Senate Research Center

S.B. 865
By: Alvarado
Education K-16
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

S.B. 865 aims to address the need for comprehensive training in cardiopulmonary resuscitation (CPR) and the use of automated external defibrillators (AEDs) for school employees and volunteers across Texas school districts, private schools, and open-enrollment charter schools. The primary issue being addressed by this legislation is the lack of standardized, mandatory training for individuals who are often in direct contact with students and may even be first responders in a medical emergency. Immediate intervention through CPR and AED usage increases survival rates during a medical emergency. Under current Texas law, AED instruction is not mandated for school personnel and does not require certification from nationally recognized organizations such as the American Heart Association or the American Red Cross. This proposed legislation amends existing law by explicitly requiring that school nurses, assistant school nurses, athletic coaches and sponsors, physical education instructors, marching band directors, cheerleading coaches and other specified school employees, as well as student athletic trainers, participate in both CPR and AED instruction and maintain certification from a recognized national organization.

Support for this legislation is expected from health organizations, parent advocacy groups, and medical associations. Opposition has not yet been assessed.

The committee substitute removed the applicability of the bill's requirements so that private and open-enrollment charter school are only included if they receive AEDs from TEA.

S.B. 865 amends current law relating to instruction in cardiopulmonary resuscitation and the use of automated external defibrillators and to a cardiac emergency response plan for certain school employees and volunteers.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Authorizes this Act to be cited as the Landon Payton Act.

SECTION 2. Amends Sections 22.902(c) and (e), Education Code, as follows:

(c) Requires each school nurse, assistant school nurse, athletic coach or sponsor, physical education instructor, marching band director, cheerleading coach, and other school employee specified by the commissioner of education and each student who serves as an athletic trainer to participate in the instruction in cardiopulmonary resuscitation and the use of an automated external defibrillator. Makes conforming and nonsubstantive changes.

(e) Requires a private school that receives an automated external defibrillator from the Texas Education Agency (TEA) or receives funding from TEA to purchase or lease an automated external defibrillator or an open-enrollment charter school to adopt a policy under which the school makes available to school employees and volunteer nurses

instruction in the principles and techniques of cardiopulmonary resuscitation and the use of an automated external defibrillator.

Deletes existing text providing that this subsection applies only to a private school that receives an automated external defibrillator from TEA or receives funding from TEA to purchase or lease an automated external defibrillator. Deletes existing text requiring a private school to adopt a policy under which the school makes available to school employees and volunteers instruction in the principles and techniques of cardiopulmonary resuscitation and the use of an automated external defibrillator.

SECTION 3. Amends Section 38.018, Education Code, as follows:

Sec. 38.018. New heading: **CARDIAC EMERGENCY RESPONSE PLAN**. (a) Requires each school district and private school to develop and implement a cardiac emergency response plan that establishes safety procedures for a district or school employee or other appropriate personnel, rather than student, to follow in responding to a medical emergency involving cardiac arrest on district or school grounds, rather than involving cardiac arrest, including the appropriate response time in administering cardiopulmonary resuscitation, using an automated external defibrillator, as defined by Section 779.001 (Definition), Health and Safety Code, or calling a local emergency medical services provider.

(b) Requires the district or school, in developing the plan, to work directly with local emergency services providers to integrate the plan with the providers' protocols and incorporate evidence-based practices of a nationally recognized, guidelines-based organization focused on emergency cardiovascular care.

(c) Requires that the plan include at a minimum the establishment of a cardiac emergency response team; procedures for activating the cardiac emergency response team in response to a medical emergency involving cardiac arrest; the dissemination of the plan through each district or school campus; ongoing training in first aid, cardiopulmonary resuscitation, and the use of automated external defibrillators, as defined by Section 779.001, Health and Safety Code, using evidence-based guidelines, for appropriate district or school employees, including school coaches, school nurses, and athletic trainers; annual practice drills in responding to a medical emergency involving cardiac arrest; and annual review, evaluation, and, if necessary modification of the plan.

(d) Creates this subsection from existing text. Provides that a private school is required to develop a cardiac emergency response plan, rather than develop safety procedures, under this section only if the school receives an automated external defibrillator from TEA or receives funding from TEA to purchase or lease an automated external defibrillator.

SECTION 4. Provides that this Act applies beginning with the 2025–2026 school year.

SECTION 5. Requires each public school and private school to which Section 38.018, Education Code, as amended by this Act, applies, not later than the first instructional day of the 2027–2028 school year, to implement a cardiac emergency response plan required by that section.

SECTION 6. Effective date: upon passage or September 1, 2025.