

By: Cook

S.B. No. 2262

A BILL TO BE ENTITLED

AN ACT

relating to regulation by municipalities and certain counties of
and certain prohibited state agency regulation of automated
external defibrillators.

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

SECTION 1. Chapter 122, Health and Safety Code, is amended
by adding Section 122.009 to read as follows:

Sec. 122.009. REGULATION OF AUTOMATED EXTERNAL
DEFIBRILLATORS BY MUNICIPALITIES AND CERTAIN COUNTIES; PROHIBITED
STATE AGENCY REGULATION. (a) In this section, "automated external
defibrillator" has the meaning assigned by Section 779.001.

(b) This section applies only to:

(1) a county:

(A) with a population of more than 250,000; or

(B) adjacent to a county with a population of
more than 250,000; and

(2) each municipality.

(c) The purpose of this section is to provide certain
counties and all municipalities express authority to regulate
automated external defibrillators.

(d) The commissioners court of a county and the governing
body of a municipality shall consult with the county or municipal
fire marshal, the county or municipal fire chief, the county or
municipal emergency medical services provider, the county or

municipal health authority, or other local official with authority over emergency matters to determine:

(1) whether to require automated external defibrillators under Subsection (e);

(2) the structures or designated public events subject to the requirement; and

(3) the minimum number and positioning of required automated external defibrillators by structure type or event.

(e) After public notice and hearing, a county or municipality by order or ordinance may require automated external defibrillators to be installed and maintained in structures or at designated public events subject to county or municipal licensure or other regulation to provide adequate emergency preparedness.

The order or ordinance:

(1) may specify the structures or events subject to the requirement and the minimum number and positioning of required automated external defibrillators;

(2) may provide exceptions and a variance process; and

(3) may not apply to:

(A) a health facility licensed under Title 4;

(B) a state or federal governmental facility; or

(C) a premises with a maximum occupancy of less than 30 individuals under applicable local laws.

(f) A county order adopted under Subsection (e) does not apply to structures or events within a municipality that has adopted an ordinance under Subsection (e).

(g) A county or municipality may inspect a structure or

1 event subject to an order or ordinance adopted under Subsection (e)
2 to ensure compliance with the order or ordinance.

3 (h) Chapter 779 applies to automated external
4 defibrillators required under an order or ordinance adopted under
5 Subsection (e).

6 (i) A county or municipality and county or municipal elected
7 or appointed officials, employees, and agents are not liable for
8 the regulation of or failure to regulate automated external
9 defibrillators.

10 (j) Unless authorized by statute, a state agency may not
11 adopt or enforce a rule that requires the installation of automated
12 external defibrillators in a structure subject to the agency's
13 control.

14 SECTION 2. This Act takes effect September 1, 2025.