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# A BILL FOR AN ACT

RELATING TO SCHOOL SAFETY.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that cardiopulmonary  
2 resuscitation (CPR) training and access to automated external  
3 defibrillators (AEDs) are essential to school safety at sporting  
4 events. Thirty-one states across the nation require coaches  
5 receive CPR training. Unfortunately, Hawaii is not one of them.  
6 Seventy per cent of students who experience cardiac arrest in a  
7 school with an AED survive. This is a significant increase from  
8 the average rate of survival. Every minute that passes without  
9 AED intervention decreases the survival rate by ten per cent.

10           The purpose of this Act is to mandate that: (1) each  
11 sporting event have a CPR trained coach or athletic trainer in  
12 attendance and (2) all schools be equipped with AED devices.

13           SECTION 2. Chapter 302A, Hawaii Revised Statutes, is  
14 amended by adding a new section to be appropriately designated  
15 and to read as follows:



1           "§302A- Automated external defibrillators; CPR;  
2 requirements; training. (a) By the end of the 2024-2025 school  
3 year:

4           (1) All public schools shall have a minimum of two  
5 automated external defibrillators:

6           (A) One to be situated in a permanent location on  
7 campus; and

8           (B) One to be utilized for off campus sporting  
9 events;

10          (2) All public schools that have an athletic trainer shall  
11 ensure that at every sporting event, an additional  
12 automated external defibrillator is available and the  
13 athletic trainer is trained and certified at all times  
14 in the use of automated external defibrillators; and

15          (3) All public schools that do not have an athletic  
16 trainer shall ensure that at every sporting event, at  
17 least two faculty members of the school in attendance  
18 are trained and certified at all times in the use of  
19 automated external defibrillators.

20          (b) The department shall ensure that the automated  
21 external defibrillators are:



1        (1) Maintained and regularly tested according to the  
2                    operation and maintenance guidelines set forth by the  
3                    manufacturer; and

4        (2) Checked for readiness after each use and at least once  
5                    every thirty days if the automated external  
6                    defibrillator has not been used in the preceding  
7                    thirty days; provided that records of the checks shall  
8                    be maintained by the department and the individual  
9                    school.

10        (c) Beginning with the 2024-2025 school year, the  
11        department shall offer a mandatory CPR training for athletic  
12        trainers and coaches at the beginning of each academic year.

13        (d) For purposes of this section, "sporting event"  
14        includes competitions, scrimmages, and practices."

15        SECTION 3. Chapter 302D, Hawaii Revised Statutes, is  
16        amended by adding a new section to be appropriately designated  
17        and to read as follows:

18        **"§302D- Automated external defibrillators; CPR;**  
19        **requirements; training.** (a) By the end of the 2024-2025 school  
20        year:



- 1        (1) All charter schools shall have a minimum of two  
2        automated external defibrillators:  
3        (A) One to be situated in a permanent location on  
4        campus; and  
5        (B) One to be utilized for off campus sporting  
6        events;  
7        (2) All charter schools that have an athletic trainer  
8        shall ensure that at every sporting event, an  
9        additional automated external defibrillator is  
10       available and the athletic trainer is trained and  
11       certified at all times in the use of automated  
12       external defibrillators; and  
13       (3) All charter schools that do not have an athletic  
14       trainer shall ensure that at every sporting event, at  
15       least two faculty members of the charter school in  
16       attendance are trained and certified at all times in  
17       the use of automated external defibrillators.  
18       (b) Each charter school shall ensure that the automated  
19       external defibrillators are:



1        (1) Maintained and regularly tested according to the  
2                    operation and maintenance guidelines set forth by the  
3                    manufacturer; and

4        (2) Checked for readiness after each use and at least once  
5                    every thirty days if the automated external  
6                    defibrillator has not been used in the preceding  
7                    thirty days; provided that records of the checks shall  
8                    be maintained by the charter school.

9        (c) Beginning with the 2024-2025 school year, the school  
10                    shall offer a mandatory CPR training for athletic trainers and  
11                    coaches at the beginning of each academic year.

12        (d) For purposes of this section, "sporting event"  
13                    includes competitions, scrimmages, and practices."

14                    SECTION 4. Chapter 304A, Hawaii Revised Statutes, is  
15                    amended by adding a new section to be appropriately designated  
16                    and to read as follows:

17                    "**§304A- Automated external defibrillators; requirements;**  
18                    **training.** (a) By the end of the 2024-2025 school year:

19                    (1) All divisions and campuses of the University of Hawaii  
20                    system shall have an automated external defibrillator  
21                    situated in a permanent location on campus; and



1        (2) The athletic department of the University of Hawaii,  
2        with regard to each institution under the University  
3        of Hawaii system, shall ensure that:

4            (A) There is an automated external defibrillator  
5            available to the athletic trainer present at  
6            every sporting event; and

7            (B) Every athletic trainer is trained and certified  
8            at all times in the use of automated external  
9            defibrillators.

10        (b) The University of Hawaii and each institution under  
11        the University of Hawaii system shall ensure that the automated  
12        external defibrillator is:

13            (1) Maintained and regularly tested according to the  
14            operation and maintenance guidelines set forth by the  
15            manufacturer; and

16            (2) Checked for readiness after each use and at least once  
17            every thirty days if the automated external  
18            defibrillator has not been used in the preceding  
19            thirty days; provided that records of the checks shall  
20            be maintained by the University of Hawaii.



1           (c) Beginning with the 2024-2025 school year, the  
2 University of Hawaii shall offer a mandatory CPR training for  
3 athletic trainers and coaches at the beginning of each academic  
4 year.

5           (d) For purposes of this section, "sporting event"  
6 includes competitions, scrimmages, and practices."

7           SECTION 5. Section 663-1.5, Hawaii Revised Statutes, is  
8 amended by amending subsection (e) to read as follows:

9           "(e) Any person who in good faith, without remuneration or  
10 expectation of remuneration, attempts to resuscitate a person in  
11 immediate danger of loss of life when administering any  
12 automated external defibrillator, regardless of where the  
13 automated external defibrillator that is used is located, shall  
14 not be liable for any civil damages resulting from any act or  
15 omission except as may result from the person's gross negligence  
16 or wanton acts or omissions[~~+~~]; provided that an athletic  
17 trainer or faculty member who administers an automated external  
18 defibrillator pursuant to section 302A- , 302-D , or 304A- ,  
19 shall be considered to be doing so without remuneration or  
20 expectation of remuneration.



1 Any person, including an employer, who provides for an  
2 automated external defibrillator or an automated external  
3 defibrillator training program shall not be vicariously liable  
4 for any civil damages resulting from any act or omission of the  
5 persons or employees who, in good faith and without remuneration  
6 or the expectation of remuneration, attempt to resuscitate a  
7 person in immediate danger of loss of life by administering an  
8 automated external defibrillator, except as may result from a  
9 person's or employer's gross negligence or wanton acts or  
10 omissions."

11 SECTION 6. In accordance with section 9 of article VII, of  
12 the Constitution of the State of Hawaii and sections 37-91 and  
13 37-93, Hawaii Revised Statutes, the legislature has determined  
14 that the appropriations contained in this Act will cause the  
15 state general fund expenditure ceiling for fiscal year 2024-2025  
16 to be exceeded by \$ , or per cent. The reasons for  
17 exceeding the general fund expenditure ceiling are that the  
18 appropriations made in this Act are necessary to serve the  
19 public interest and to meet the need provided for by this Act.

20 SECTION 7. There is appropriated out of the general  
21 revenues of the State of Hawaii the sum of \$ or so much



1 thereof as may be necessary for fiscal year 2024-2025 for the  
2 purchase of automated external defibrillators and mandatory CPR  
3 training.

4 The sum appropriated shall be expended by the department of  
5 education for the purposes of this Act.

6 SECTION 8. There is appropriated out of the general  
7 revenues of the State of Hawaii the sum of \$ or so much  
8 thereof as may be necessary for fiscal year 2024-2025 for the  
9 purchase of automated external defibrillators and mandatory CPR  
10 training.

11 The sum appropriated shall be expended by the charter  
12 school administrative office for the purposes of this Act.

13 SECTION 9. Statutory material to be repealed is bracketed  
14 and stricken. New statutory material is underscored.

15 SECTION 10. This Act shall take effect upon its approval.

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INTRODUCED BY: *D*

JAN 23 2024



# H.B. NO. 2604

**Report Title:**

CPR; AED; School Safety; Athletic Events; Funds Exceeded

**Description:**

Requires schools maintain AEDs for all sporting events.  
Mandates AED and CPR training for certain school officials.  
Appropriates funds exceeding the expenditure ceiling.

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*

