

SENATE BILL 369

J1

5lr2590
CF HB 593

By: ~~Senator Watson~~ Senators Watson, Attar, Augustine, Brooks, Carozza, Feldman, Hester, Kagan, Simonaire, and M. Washington

Introduced and read first time: January 17, 2025

Assigned to: Education, Energy, and the Environment

Committee Report: Favorable with amendments

Senate action: Adopted

Read second time: February 25, 2025

CHAPTER _____

1 AN ACT concerning

2 **Public Libraries – Automated External Defibrillator Program**
3 **(Raymono A. Russell Act)**

4 FOR the purpose of requiring operators of certain libraries, beginning on a certain date, to
5 place an automated external defibrillator in a certain area, maintain the
6 functionality of the automated external defibrillator, and ensure a trained individual
7 is present under certain circumstances; granting certain immunities to libraries and
8 individuals for certain acts or omissions under certain circumstances; ~~altering the~~
9 ~~definition of “facility” for the purpose of excluding certain libraries from the Public~~
10 ~~Access Automated External Defibrillator Program; requiring the Maryland~~
11 ~~Department of Health and the Maryland Institute for Emergency Medical Services~~
12 ~~Systems jointly to adopt certain regulations; and generally relating to an automated~~
13 external defibrillator program for libraries.

14 BY repealing and reenacting, ~~with~~ without amendments,
15 Article – Education
16 Section ~~13-517(a)~~ 13-517(a)(1) and (2)
17 Annotated Code of Maryland
18 (2022 Replacement Volume and 2024 Supplement)

19 BY adding to
20 Article – Education
21 Section 23-102.2
22 Annotated Code of Maryland

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



(2022 Replacement Volume and 2024 Supplement)

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
That the Laws of Maryland read as follows:

Article – Education

13–517.

(a) (1) In this section the following words have the meanings indicated.

(2) “Automated external defibrillator (AED)” means a medical heart
monitor and defibrillator device that:

(i) Is cleared for market by the federal Food and Drug
Administration;

(ii) Recognizes the presence or absence of ventricular fibrillation or
rapid ventricular tachycardia;

(iii) Determines, without intervention by an operator, whether
defibrillation should be performed;

(iv) On determining that defibrillation should be performed,
automatically charges; and

(v) 1. Requires operator intervention to deliver the electrical
impulse; or

2. Automatically continues with delivery of electrical
impulse.

~~(3) “Certificate” means a certificate issued by the EMS Board to a
registered facility.~~

~~(4) (i) “Facility” means an agency, an association, a corporation, a firm,
a partnership, or any other entity.~~

~~(ii) “Facility” does not include [a]:~~

~~1. A grocery store or restaurant that is subject to §
21-330.3 of the Health General Article; OR~~

~~2. A LIBRARY THAT IS SUBJECT TO § 23-102.2 OF THIS
ARTICLE.~~

~~(5) "Jurisdictional emergency medical services operational program" means the institution, agency, corporation, or other entity that has been approved by the EMS Board to provide oversight of emergency medical services for each of the local government and State and federal emergency medical services programs.~~

~~(6) "Program" means the Public Access Automated External Defibrillator Program.~~

~~(7) "Regional administrator" means the individual employed by the Institute as regional administrator in each EMS region.~~

~~(8) "Regional council" means an EMS advisory body as created by the Code of Maryland Regulations 30.05.~~

~~(9) "Regional council AED committee" means a committee appointed by the regional council consisting of:~~

~~(i) The regional medical director;~~

~~(ii) The regional administrator; and~~

~~(iii) Three or more individuals with knowledge of and expertise in AEDs.~~

~~(10) "Registered facility" means an organization, a business association, an agency, or any other entity that meets the requirements of the EMS Board for registering with the Program.~~

23-102.2.

(A) (1) IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS INDICATED.

(2) "AUTOMATED EXTERNAL DEFIBRILLATOR (AED)" MEANS A HAS THE MEANING STATED IN § 13-517 OF THIS ARTICLE. MEDICAL HEART MONITOR AND DEFIBRILLATOR DEVICE THAT:

(I) IS CLEARED FOR MARKET BY THE FEDERAL FOOD AND DRUG ADMINISTRATION;

(II) RECOGNIZES THE PRESENCE OR ABSENCE OF VENTRICULAR FIBRILLATION OR RAPID VENTRICULAR TACHYCARDIA;

(III) DETERMINES, WITHOUT INTERVENTION BY AN OPERATOR, WHETHER DEFIBRILLATION SHOULD BE PERFORMED;

~~(IV) ON DETERMINING THAT DEFIBRILLATION SHOULD BE PERFORMED, AUTOMATICALLY CHARGES; AND~~

~~(V) 1. REQUIRES OPERATOR INTERVENTION TO DELIVER THE ELECTRICAL IMPULSE; OR~~

~~2. AUTOMATICALLY CONTINUES WITH DELIVERY OF THE ELECTRICAL IMPULSE.~~

(3) (I) "LIBRARY" INCLUDES:

1. THE STATE LIBRARY RESOURCE CENTER;

2. A REGIONAL RESOURCE CENTER;

~~3. A CORRECTIONAL FACILITY LIBRARY;~~

~~4. 3. A COUNTY LIBRARY SYSTEM AND THE ENOCH PRATT FREE LIBRARY IN BALTIMORE;~~

~~5. 4. THE MARYLAND STATE LIBRARY FOR THE BLIND AND PRINT DISABLED;~~

~~6. 5. THE MARYLAND DEAF CULTURE DIGITAL LIBRARY;~~
AND

~~7. 6. A METROPOLITAN COOPERATIVE SERVICE PROGRAM.~~

(II) "LIBRARY" DOES NOT INCLUDE A SCHOOL LIBRARY MEDIA PROGRAM ESTABLISHED BY A LOCAL SCHOOL SYSTEM.

(B) BEGINNING JANUARY 1, 2026, EACH OPERATOR OF A LIBRARY SHALL:

(1) PLACE AN AUTOMATED EXTERNAL DEFIBRILLATOR IN A PROMINENT AREA, ACCESSIBLE TO EMPLOYEES AND LIBRARY USERS;

(2) COMPLY WITH § 13-517 OF THIS ARTICLE; AND

~~(2) (3) MAINTAIN THE FUNCTIONALITY OF THE AUTOMATED EXTERNAL DEFIBRILLATOR; AND~~

~~(3) ENSURE THAT AN INDIVIDUAL TRAINED IN THE OPERATION OF THE AUTOMATED EXTERNAL DEFIBRILLATOR IS PRESENT AT ANY TIME DURING WHICH THE LIBRARY IS OPEN TO USE.~~

(C) IN ADDITION TO ANY OTHER IMMUNITIES AVAILABLE UNDER STATUTORY OR COMMON LAW:

(1) A LIBRARY IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION IN THE PROVISION OF AUTOMATED EXTERNAL DEFIBRILLATION IF THE LIBRARY HAS SATISFIED THE REQUIREMENTS UNDER THIS SECTION;

(2) AN INDIVIDUAL IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION IF:

(I) THE INDIVIDUAL IS ACTING IN GOOD FAITH WHILE RENDERING AUTOMATED EXTERNAL DEFIBRILLATION TO ANOTHER INDIVIDUAL WHO IS THE VICTIM OR IS REASONABLY BELIEVED BY THE INDIVIDUAL TO BE A VICTIM OF A SUDDEN CARDIAC ARREST;

(II) THE ASSISTANCE OR AID IS PROVIDED IN A REASONABLY PRUDENT MANNER; AND

(III) THE AUTOMATED EXTERNAL DEFIBRILLATION IS PROVIDED WITHOUT FEE OR OTHER COMPENSATION; AND

(3) A LIBRARY OR INDIVIDUAL IS NOT CIVILLY LIABLE FOR FAILING TO RENDER AUTOMATED EXTERNAL DEFIBRILLATION TO AN INDIVIDUAL WHO IS A VICTIM OR IS REASONABLY BELIEVED TO BE A VICTIM OF A SUDDEN CARDIAC ARREST.

~~(D) THE MARYLAND DEPARTMENT OF HEALTH AND THE MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS JOINTLY SHALL ADOPT REGULATIONS THAT:~~

~~(1) ESTABLISH GUIDELINES FOR PERIODIC INSPECTIONS AND ANNUAL MAINTENANCE OF THE AUTOMATED EXTERNAL DEFIBRILLATORS;~~

~~(2) ASSIST THE OPERATOR OF A LIBRARY IN CARRYING OUT THE PROVISIONS OF THIS SECTION; AND~~

~~(3) REQUIRE EACH LIBRARY SUBJECT TO THIS SECTION TO REGISTER WITH THE MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS IN ORDER TO:~~

~~(i) MAKE ITS LOCATION PUBLICLY AVAILABLE TO EMERGENCY DISPATCHERS; AND~~

~~(H) RECEIVE MAINTENANCE AND RECALL NOTICES FROM THE
MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS.~~

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1, 2026, the Maryland Institute for Emergency Medical Services Systems shall report to the Senate Committee on Education, Energy, and the Environment and the House Economic Matters Committee, in accordance with § 2–1257 of the State Government Article, on:

(1) the libraries that registered automated external defibrillators in accordance with regulations adopted under § 23–102.2 of the Education Article, as enacted by Section 1 of this Act; and

(2) the number of adverse cardiac events that required the use of an automated external defibrillator experienced in the libraries that registered the automated external defibrillators.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect October 1, 2025.

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.