

SUBJECT: Requiring automated external defibrillators at athletic clubs

COMMITTEE: Public Health — committee substitute recommended

VOTE: 8 ayes — Kolkhorst, Naishtat, Coleman, J. Davis, Gonzales, Laubenberg, McReynolds, Zerwas

0 nays

3 absent — Hopson, S. King, Truitt

WITNESSES: For — (*Registered, but did not testify:* Jaime Capelo, Texas Chapter, American College of Cardiology; Bruce Glasscock, City of Plano; Melinda Moore, Texas Academy of Physician Assistants; Jay Propes, International Health, Racquet and Sportsclub Association; Joel Romo, American Heart Association)

Against — None

DIGEST: CSHB 808 would require an athletic club to make available at each facility or location an automated external defibrillator. The club would have to make reasonable efforts to ensure that at least one employee trained to use the defibrillator was present during business hours. An athletic club or person would not be liable for civil damages arising from the use or failure to use a defibrillator unless the club or person acted in a manner that was willful or wanton or constituted gross negligence.

An athletic club would be defined as an entity that provided sports or exercise equipment, facilities, or instruction to at least 125 customers or members. The bill would not apply to a club available only to hotel guests, tenants of a particular apartment building, residents of a homeowners association, or that was located in a building owned by a municipality.

The bill would take effect September 1, 2010.