

**First Regular Session  
Seventy-second General Assembly  
STATE OF COLORADO**

**REREVISED**

*This Version Includes All Amendments  
Adopted in the Second House*

LLS NO. 19-0312.01 Shelby Ross x4510

**HOUSE BILL 19-1183**

**HOUSE SPONSORSHIP**

**Roberts,** Becker, Bird, Buckner, Buentello, Caraveo, Cutter, Esgar, Exum, Gray, Hansen, Herod, Hooton, Jackson, Jaquez Lewis, Kipp, Kraft-Tharp, Lontine, McCluskie, McLachlan, Michaelson Jenet, Mullica, Singer, Sirota, Titone, Valdez A., Valdez D., Will

**SENATE SPONSORSHIP**

**Bridges,** Donovan, Fenberg, Fields, Garcia, Ginal, Gonzales, Lee, Story, Todd, Winter

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**House Committees**

Health & Insurance  
Appropriations

**Senate Committees**

Health & Human Services  
Appropriations

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**A BILL FOR AN ACT**

101     **CONCERNING THE PLACEMENT OF AUTOMATED EXTERNAL**  
102             **DEFIBRILLATORS IN PUBLIC PLACES, AND, IN CONNECTION**  
103             **THEREWITH, MAKING AN APPROPRIATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://leg.colorado.gov>.)*

The bill defines a public place and encourages any person that owns, operates, or manages a public place to place functional automated external defibrillators (AEDs) in sufficient quantities to ensure reasonable availability for use during perceived sudden cardiac arrest emergencies.

The bill requires any public place to accept any gift, grant, or

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters or bold & italic numbers indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
April 24, 2019

SENATE  
Amended 2nd Reading  
April 23, 2019

HOUSE  
3rd Reading Unamended  
March 29, 2019

HOUSE  
Amended 2nd Reading  
March 28, 2019

donation of an AED that meets federal standards.

The department shall award a \$75,000 contract to a nonprofit organization for the purpose of acquiring and distributing AEDs to public places.

The bill extends good samaritan protections to a variety of persons and entities.

The bill repeals an obsolete provision that encouraged school districts to acquire an AED and moves that provision to article 51 of title 25. The bill also repeals an obsolete provision that provided limited immunity to persons rendering emergency assistance through the use of an AED.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 51 to title  
3 25 as follows:

4 **ARTICLE 51**

5 **Automated External Defibrillators**

6         
7 **25-51-101. Definitions.** AS USED IN THIS ARTICLE 51, UNLESS THE  
8 CONTEXT OTHERWISE REQUIRES:

9 (1) "AUTOMATED EXTERNAL DEFIBRILLATOR" OR "AED" MEANS  
10 AN AUTOMATED EXTERNAL DEFIBRILLATOR APPROVED FOR SALE BY THE  
11 FEDERAL FOOD AND DRUG ADMINISTRATION.

12 (2) "PERSON" MEANS AN INDIVIDUAL, CORPORATION,  
13 PARTNERSHIP, LIMITED LIABILITY COMPANY, ASSOCIATION, TRUST,  
14 UNINCORPORATED ORGANIZATION OR OTHER LEGAL ENTITY OR  
15 ORGANIZATION, OR A GOVERNMENT OR GOVERNMENTAL BODY.

16 (3) "PUBLIC PLACE" MEANS AN ENCLOSED INDOOR OR OUTDOOR  
17 AREA CAPABLE OF HOLDING ONE HUNDRED OR MORE PEOPLE AND TO  
18 WHICH THE PUBLIC IS INVITED OR IN WHICH THE PUBLIC IS PERMITTED BUT  
19 DOES NOT INCLUDE A PRIVATE RESIDENCE.

1 (4) "PUBLIC SCHOOL" MEANS A SCHOOL OF A SCHOOL DISTRICT, A  
2 DISTRICT CHARTER SCHOOL, AN INSTITUTE CHARTER SCHOOL, A FACILITY  
3 SCHOOL, OR A SCHOOL OPERATED BY A BOARD OF COOPERATIVE SERVICES.

4 **25-51-102. Placement of automated external defibrillator -**  
5 **donations - acquisitions - limited immunity.** (1) ANY PUBLIC SCHOOL  
6 OR PERSON WHO OWNS, OPERATES, OR MANAGES A PUBLIC PLACE IS  
7 ENCOURAGED TO PLACE FUNCTIONAL AEDS IN SUFFICIENT QUANTITIES TO  
8 ENSURE REASONABLE AVAILABILITY FOR USE DURING PERCEIVED SUDDEN  
9 CARDIAC ARREST EMERGENCIES.

10 (2) ANY INDIVIDUAL IS PERMITTED TO RETRIEVE OR USE AN AED.

11 (3) (a) A PUBLIC SCHOOL OR PUBLIC PLACE SHALL ACCEPT A  
12 DONATION OF AN AED THAT MEETS STANDARDS ESTABLISHED BY THE  
13 FEDERAL FOOD AND DRUG ADMINISTRATION AND IS IN COMPLIANCE WITH  
14 THE MANUFACTURER'S MAINTENANCE SCHEDULE. A PUBLIC SCHOOL OR  
15 PUBLIC PLACE SHALL ALSO ACCEPT GIFTS, GRANTS, AND DONATIONS,  
16 INCLUDING IN-KIND DONATIONS, DESIGNATED FOR OBTAINING AN AED,  
17 AND FOR INSPECTION, MAINTENANCE, AND TRAINING IN THE USE OF AN  
18 AED.

19 (b) IF A PUBLIC SCHOOL OR PUBLIC PLACE ACCEPTS A DONATED  
20 AED PURSUANT TO SUBSECTION (3)(a) OF THIS SECTION BUT THE PUBLIC  
21 SCHOOL OR PUBLIC PLACE DOES NOT WANT TO ACCEPT RESPONSIBILITY FOR  
22 AED TRAINING OR INSTALLATION OR FOR ENSURING THE AED IS IN  
23 COMPLIANCE WITH THE MANUFACTURER'S MAINTENANCE SCHEDULE, THE  
24 PUBLIC SCHOOL OR PUBLIC PLACE IS NOT REQUIRED TO ACCEPT THE AED  
25 UNLESS THE DONATING PARTY AGREES TO BE RESPONSIBLE FOR AED  
26 TRAINING, INSTALLATION, AND MAINTENANCE. THE PUBLIC SCHOOL OR  
27 PUBLIC PLACE SHALL DECIDE WHO WILL BE TRAINED, THE FREQUENCY OF

1 TRAINING, AND WHEN THE AED TRAINING AND INSTALLATION WILL TAKE  
2 PLACE. IF THE DONATING PARTY HAS ACCEPTED RESPONSIBILITY FOR THE  
3 MAINTENANCE OF THE AED BUT CAN NO LONGER PROVIDE MAINTENANCE,  
4 THE PUBLIC SCHOOL OR PUBLIC PLACE MAY EITHER ACCEPT  
5 RESPONSIBILITY FOR THE MAINTENANCE OF THE AED OR REMOVE THE  
6 AED FROM THE PUBLIC SCHOOL OR PUBLIC PLACE.

7 (c) AN AED ACQUIRED BY A PUBLIC SCHOOL MUST BE  
8 APPROPRIATE FOR USE ON CHILDREN AND ADULTS.

9 (4) ON OR BEFORE SEPTEMBER 1, 2019, THE DEPARTMENT OF  
10 PUBLIC HEALTH AND ENVIRONMENT SHALL AWARD A FIFTEEN THOUSAND  
11 DOLLAR CONTRACT TO A NONPROFIT ORGANIZATION FOR THE PURPOSE OF  
12 ACQUIRING AND DISTRIBUTING AEDS TO PUBLIC PLACES.

13  
14 **SECTION 2.** In Colorado Revised Statutes, 22-1-125.5, **amend**  
15 (3)(a)(I) as follows:

16 **22-1-125.5. Requirement for certification of public school**  
17 **athletic coaches in cardiopulmonary resuscitation - use of automated**  
18 **external defibrillators - definitions.** (3) Nothing in this section  
19 abrogates or limits:

20 (a) The protections applicable to:  
21 (I) Any person or entity that renders emergency assistance through  
22 the use of an automated external defibrillator pursuant to section  
23 13-21-108.1 C.R.S. AND ARTICLE 51 OF TITLE 25; or

24 **SECTION 3.** In Colorado Revised Statutes, **repeal** 22-1-125.

25 **SECTION 4. Appropriation.** For the 2019-20 state fiscal year,  
26 \$15,000 is appropriated to the department of public health and  
27 environment for use by the health facilities and emergency medical

1 services division. This appropriation is from the general fund. To  
2 implement this act, the division may use this appropriation for the state  
3 EMS coordination, planning and certification program.

4 **SECTION 5. Act subject to petition - effective date.** This act  
5 takes effect at 12:01 a.m. on the day following the expiration of the  
6 ninety-day period after final adjournment of the general assembly (August  
7 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a  
8 referendum petition is filed pursuant to section 1 (3) of article V of the  
9 state constitution against this act or an item, section, or part of this act  
10 within such period, then the act, item, section, or part will not take effect  
11 unless approved by the people at the general election to be held in  
12 November 2020 and, in such case, will take effect on the date of the  
13 official declaration of the vote thereon by the governor.