

# SENATE BILL 742

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By: **Senator Klausmeier**

Introduced and read first time: February 9, 2007

Assigned to: Rules

Re-referred to: Finance, February 16, 2007

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Committee Report: Favorable

Senate action: Adopted

Read second time: March 23, 2007

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## CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **Swimming Pools – Automated External Defibrillator Programs**

3 FOR the purpose of requiring each county or municipal corporation that owns or  
4 operates a swimming pool to develop and implement a certain automated  
5 external defibrillator program that meets certain requirements for certain  
6 swimming pools owned or operated by the county or municipal corporation;  
7 requiring the owners and operators of certain swimming pools to develop and  
8 implement a certain automated external defibrillator program that meets  
9 certain requirements; requiring the Department of Health and Mental Hygiene  
10 and the Maryland Institute for Emergency Medical Services Systems to jointly  
11 adopt certain regulations; defining certain terms; and generally relating to  
12 requiring certain automated external defibrillator programs for certain  
13 swimming pools.

14 BY adding to

15 Article 24 – Political Subdivisions – Miscellaneous Provisions

16 Section 20–101 to be under the new title “Title 20. Automated External  
17 Defibrillator Programs”

18 Annotated Code of Maryland

19 (2005 Replacement Volume and 2006 Supplement)

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**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.



1 BY adding to  
2 Article – Health – General  
3 Section 13–2501 to be under the new subtitle “Subtitle 25. Automated External  
4 Defibrillator Programs”  
5 Annotated Code of Maryland  
6 (2005 Replacement Volume and 2006 Supplement)

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

9 **Article 24 – Political Subdivisions – Miscellaneous Provisions**

10 **TITLE 20. AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAMS.**

11 **20–101.**

12 (A) IN THIS SECTION, “SWIMMING POOL” MEANS A POOL THAT IS  
13 OWNED AND OPERATED BY THE GOVERNING BODY OF A COUNTY OR MUNICIPAL  
14 CORPORATION.

15 (B) (1) EACH COUNTY OR MUNICIPAL CORPORATION THAT OWNS OR  
16 OPERATES A SWIMMING POOL SHALL DEVELOP AND IMPLEMENT AN  
17 AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAM THAT MEETS THE  
18 REQUIREMENTS OF § 13–517 OF THE EDUCATION ARTICLE FOR EACH  
19 SWIMMING POOL OWNED OR OPERATED BY THE COUNTY OR MUNICIPAL  
20 CORPORATION.

21 (2) THE PROGRAM REQUIRED UNDER PARAGRAPH (1) OF THIS  
22 SUBSECTION SHALL INCLUDE PROVISIONS THAT:

23 (I) ENSURE THAT AN AUTOMATED EXTERNAL  
24 DEFIBRILLATOR IS PROVIDED ON–SITE; AND

25 (II) AN INDIVIDUAL TRAINED IN THE OPERATION AND USE  
26 OF AN AUTOMATED EXTERNAL DEFIBRILLATOR IS PRESENT AT EACH SWIMMING  
27 POOL.

1           **(C) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE**  
2 **MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS SHALL**  
3 **JOINTLY ADOPT REGULATIONS THAT:**

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

6                   **(2) ASSIST EACH COUNTY OR MUNICIPAL CORPORATION IN**  
7 **CARRYING OUT THE PROVISIONS OF THIS SECTION.**

8                                   **Article - Health - General**

9                   **SUBTITLE 25. AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAMS.**

10 **13-2501.**

11           **(A) (1) IN THIS SECTION, "SWIMMING POOL" MEANS A POOL THAT:**

12                           **(I) IS OPEN FOR GENERAL ADMISSION TO THE PUBLIC;**

13                           **(II) IS PROVIDED AS THE OWNER'S PRIMARY BUSINESS OR**  
14 **THE FACILITY'S PRIMARY PURPOSE, INCLUDING A SWIM CLUB OR SIMILAR**  
15 **FACILITY;**

16                           **(III) IS PROVIDED BY OR USED BY A:**

17                                   **1. YOUTH CAMP;**

18                                   **2. COLLEGE, UNIVERSITY, OR SCHOOL;**

19                                   **3. COUNTRY CLUB; OR**

20                                   **4. WATER PARK, AMUSEMENT PARK, OR WATER**  
21 **RECREATIONAL ATTRACTION; OR**

22                           **(IV) IS USED FOR SWIMMING LESSONS, WATER SAFETY**  
23 **INSTRUCTION, OR SWIMMING COMPETITIONS.**

1           **(2) IN THIS SECTION, "SWIMMING POOL" DOES NOT MEAN A POOL**  
2 **THAT IS LOCATED:**

3                   **(I) AT A FACILITY INTENDED FOR THE USE OF INDIVIDUALS**  
4 **STAYING AT THE FACILITY, INCLUDING A HOTEL OR MOTEL POOL; OR**

5                   **(II) ON RESIDENTIAL PROPERTY.**

6           **(B) (1) THE OWNERS AND OPERATORS OF EACH SWIMMING POOL**  
7 **SHALL DEVELOP AND IMPLEMENT AN AUTOMATED EXTERNAL DEFIBRILLATOR**  
8 **PROGRAM THAT MEETS THE REQUIREMENTS OF § 13-517 OF THE EDUCATION**  
9 **ARTICLE.**

10           **(2) THE PROGRAM REQUIRED UNDER PARAGRAPH (1) OF THIS**  
11 **SUBSECTION SHALL INCLUDE PROVISIONS THAT ENSURE:**

12                   **(I) AN AUTOMATED EXTERNAL DEFIBRILLATOR IS**  
13 **PROVIDED ON-SITE; AND**

14                   **(II) AN INDIVIDUAL TRAINED IN THE OPERATION AND USE**  
15 **OF AN AUTOMATED EXTERNAL DEFIBRILLATOR IS PRESENT AT EACH SWIMMING**  
16 **POOL.**

17           **(C) THE DEPARTMENT OF HEALTH AND MENTAL HYGIENE AND THE**  
18 **MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS SHALL**  
19 **JOINTLY ADOPT REGULATIONS THAT:**

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

22                   **(2) ASSIST THE OWNERS AND OPERATORS OF EACH SWIMMING**  
23 **POOL IN CARRYING OUT THE PROVISIONS OF THIS SECTION.**

24           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**  
25 **October 1, 2007.**