

HOUSE BILL 364

J1, L6
SB 990/11 – SRU

3lr1785

By: **Delegates Hucker and Feldman**

Introduced and read first time: January 25, 2013

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **Swimming Pools – Automated External Defibrillator Programs**
3 **(Connor’s Law)**

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

14 BY adding to

15 Article 24 – Political Subdivisions – Miscellaneous Provisions
16 Section 22–101 to be under the new title “Title 22. Automated External
17 Defibrillator Programs”
18 Annotated Code of Maryland
19 (2011 Replacement Volume and 2012 Supplement)

20 BY adding to

21 Article – Health – General
22 Section 13–2401 to be under the new subtitle “Subtitle 24. Automated External
23 Defibrillator Programs”
24 Annotated Code of Maryland
25 (2009 Replacement Volume and 2012 Supplement)

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

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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

2 **TITLE 22. AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAMS.**

3 **22-101.**

4 **(A) IN THIS SECTION, “SWIMMING POOL” MEANS A POOL THAT IS**
5 **OWNED AND OPERATED BY THE GOVERNING BODY OF A COUNTY OR**
6 **MUNICIPALITY.**

7 **(B) (1) EACH COUNTY OR MUNICIPALITY THAT OWNS OR OPERATES A**
8 **SWIMMING POOL SHALL DEVELOP AND IMPLEMENT AN AUTOMATED EXTERNAL**
9 **DEFIBRILLATOR PROGRAM THAT MEETS THE REQUIREMENTS OF § 13-517 OF**
10 **THE EDUCATION ARTICLE FOR EACH SWIMMING POOL OWNED OR OPERATED BY**
11 **THE COUNTY OR MUNICIPALITY.**

12 **(2) THE PROGRAM REQUIRED UNDER PARAGRAPH (1) OF THIS**
13 **SUBSECTION SHALL INCLUDE PROVISIONS THAT:**

14 **(I) ENSURE AN AUTOMATED EXTERNAL DEFIBRILLATOR IS**
15 **PROVIDED ON-SITE; AND**

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

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

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

24 **(2) ASSIST EACH COUNTY OR MUNICIPALITY IN CARRYING OUT**
25 **THE PROVISIONS OF THIS SECTION.**

26 **Article – Health – General**

27 **SUBTITLE 24. AUTOMATED EXTERNAL DEFIBRILLATOR PROGRAMS.**

28 **13-2401.**

29 **(A) (1) IN THIS SECTION, “SWIMMING POOL” MEANS A POOL THAT:**

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

2 **(II) IS PROVIDED AS THE OWNER’S PRIMARY BUSINESS OR**
3 **THE FACILITY’S PRIMARY PURPOSE, INCLUDING A SWIM CLUB OR SIMILAR**
4 **FACILITY;**

5 **(III) IS PROVIDED BY OR USED BY:**

6 **1. A YOUTH CAMP;**

7 **2. A COLLEGE, UNIVERSITY, OR SCHOOL;**

8 **3. A COUNTRY CLUB; OR**

9 **4. A WATER PARK, AN AMUSEMENT PARK, OR A**
10 **WATER RECREATIONAL ATTRACTION; OR**

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

13 **(2) IN THIS SECTION, “SWIMMING POOL” DOES NOT MEAN A POOL**
14 **THAT IS LOCATED:**

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

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

18 **(B) (1) THE OWNERS AND OPERATORS OF EACH SWIMMING POOL**
19 **SHALL DEVELOP AND IMPLEMENT AN AUTOMATED EXTERNAL DEFIBRILLATOR**
20 **PROGRAM THAT MEETS THE REQUIREMENTS OF § 13-517 OF THE EDUCATION**
21 **ARTICLE.**

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

24 **(I) AN AUTOMATED EXTERNAL DEFIBRILLATOR IS**
25 **PROVIDED ON-SITE; AND**

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

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

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

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

8 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
9 October 1, 2013.