

Department of Fiscal Services
Maryland General Assembly

FISCAL NOTE

House Bill 1044 (Delegate Menes)
Environmental Matters

Public and Private Recreational Facilities - CPR Personnel

This bill requires a public owner or lessee of a public building to ensure that personnel certified to administer cardiopulmonary resuscitation (CPR) are present whenever the building is in use for recreational purposes. The bill also requires that privately owned and commercially operated indoor recreational facilities have on the premises personnel who are certified to administer CPR. The bill specifies that these provisions may not be construed as creating any civil or criminal liability.

The bill takes effect January 1, 1998.

Fiscal Summary

State Effect: Indeterminate but potentially significant increase in expenditures. Revenues would not be affected.

Local Effect: Indeterminate but potentially significant increase in expenditures. Revenues would not be affected. **This bill imposes a mandate on a unit of local government.**

Small Business Effect: Potential meaningful impact on small businesses as discussed below.

Fiscal Analysis

State Expenditures: The bill requires the State to ensure that personnel certified to administer CPR are present whenever a public building is in use for recreational purposes. The total cost to the State depends on (1) what types of activities are considered recreational purposes, and thus how many staff members would be affected (it is noted that it is possible that only a few staff members, such as managers, would need to be certified in order to comply with the requirements of the bill); (2) the extent to which the personnel in affected

facilities are not already certified to administer CPR; and (3) whether the requirement would apply to facilities that are not currently staffed in any way.

Several State entities, including the University of Maryland System, the Department of General Services (DGS), and the Department of Natural Resources (DNR), own or lease public buildings that are used for what would likely be considered recreational purposes. For illustrative purposes, it is estimated that at Towson State alone 55 staff members would need to be certified to administer CPR. On the other hand, State facilities operated by DGS that are most likely to be used for recreational purposes are staffed by DGS police officers, who are already certified to administer CPR. DNR operates over 70 public lands facilities, many of which have public buildings that are not currently staffed in any way. If the bill requires DNR to staff such buildings, total costs to the State would be significant.

The costs would include any cost of certification training, wages of staff for the time spent in training, and wages for staffing buildings, if applicable. The cost of CPR training would vary depending on the location and source. The American Red Cross in Baltimore offers 6.5 hour Adult, Infant, and Child CPR certification classes for \$33. In addition, many local and volunteer fire departments offer the classes free of charge. The cost associated with wages paid to staff for the time spent in training or staffing buildings would vary depending on the actual salaries of the personnel. For illustrative purposes only, using the average salary of State employees, the cost in wages for one staff member's 6.5 hours of training would be \$100. In future years, there would be costs associated with recertification of personnel.

Local Expenditures: The bill requires a county or municipality to ensure that personnel certified to administer CPR are present whenever a public building is in use for recreational purposes. The total cost to the localities would depend on the factors discussed above. The cost of CPR training is estimated as discussed above. For illustrative purposes, the Montgomery County Department of Recreation estimates there are 284 staff members at the county's 22 recreational facilities that would need to be certified to administer CPR. In addition, the local school systems would be affected. For illustrative purposes, the Cecil County school system alone has 1,425 employees that potentially would need to be certified.

Small Business Effect: The impact of the bill on small businesses is dependent on the types of privately owned and commercially operated facilities that would be considered indoor recreational facilities. Those small businesses that own or operate indoor recreational facilities that do not currently have staff certified to administer CPR would incur costs associated with training as discussed above in order to be in compliance with the law.

Among the businesses that would likely be considered to be indoor recreational facilities are physical fitness facilities, membership sports and recreational clubs, and bowling centers. It

is likely that many fitness centers and clubs currently require staff to be certified to administer CPR. Of the 425 physical fitness facilities and membership sports and recreation clubs in the State, 88% are small businesses. It is not likely that bowling centers currently require personnel to be certified to administer CPR. Of the 50 bowling centers in the State, 94% are small businesses. It is noted that if a more broad interpretation of recreational purposes is made, the bill would affect many more small businesses.

Information Source(s): American Red Cross; Annapolis Fire Department; Calvert, Caroline, Howard, Montgomery, and Prince George's counties; City of Bowie; Department of General Services; Department of Health and Mental Hygiene; Department of Natural Resources; towns of Elkton and Thurmont; Maryland Association of Boards of Education; University of Maryland System; Department of Fiscal Services

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