

# SENATE BILL 369

J1

(5lr2590)

## ENROLLED BILL

— Education, Energy, and the Environment/Ways and Means —

Introduced by ~~Senator Watson~~ Senators Watson, Attar, Augustine, Brooks, Carozza, Feldman, Hester, Kagan, Simonaire, and M. Washington

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

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

1 AN ACT concerning

2 **Public Libraries – Automated External Defibrillator Program**  
3 **(Raymono A. Russell Act)**

4 FOR the purpose of requiring ~~operators of~~ certain libraries, beginning on a certain date, to  
5 place an automated external defibrillator in a certain area, maintain the  
6 functionality of the automated external defibrillator, and ~~ensure a trained individual~~  
7 ~~is present under certain circumstances~~ comply with the Public Access Automated  
8 External Defibrillator Program; granting certain immunities to libraries and  
9 individuals for certain acts or omissions under certain circumstances; ~~altering the~~  
10 ~~definition of “facility” for the purpose of excluding certain libraries from the Public~~  
11 ~~Access Automated External Defibrillator Program; requiring the Maryland~~  
12 ~~Department of Health and the Maryland Institute for Emergency Medical Services~~  
13 ~~Systems jointly to adopt certain regulations~~; and generally relating to an automated  
14 external defibrillator program for libraries.

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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.

*Italics indicate opposite chamber/conference committee amendments.*



1 BY repealing and reenacting, ~~with~~ without amendments,  
 2 Article – Education  
 3 Section ~~13–517(a)~~ 13–517(a)(1) and (2)  
 4 Annotated Code of Maryland  
 5 (2022 Replacement Volume and 2024 Supplement)

6 BY adding to  
 7 Article – Education  
 8 Section 23–102.2  
 9 Annotated Code of Maryland  
 10 (2022 Replacement Volume and 2024 Supplement)

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

13 **Article – Education**

14 13–517.

15 (a) (1) In this section the following words have the meanings indicated.

16 (2) “Automated external defibrillator (AED)” means a medical heart  
 17 monitor and defibrillator device that:

18 (i) Is cleared for market by the federal Food and Drug  
 19 Administration;

20 (ii) Recognizes the presence or absence of ventricular fibrillation or  
 21 rapid ventricular tachycardia;

22 (iii) Determines, without intervention by an operator, whether  
 23 defibrillation should be performed;

24 (iv) On determining that defibrillation should be performed,  
 25 automatically charges; and

26 (v) 1. Requires operator intervention to deliver the electrical  
 27 impulse; or

28 2. Automatically continues with delivery of electrical  
 29 impulse.

30 ~~(3) “Certificate” means a certificate issued by the EMS Board to a~~  
 31 ~~registered facility.~~

1           (4) (i) ~~“Facility” means an agency, an association, a corporation, a firm,~~  
2 ~~a partnership, or any other entity.~~

3           (ii) ~~“Facility” does not include [a]:~~

4           ~~1. A grocery store or restaurant that is subject to §~~  
5 ~~21-330.3 of the Health General Article; OR~~

6           ~~2. A LIBRARY THAT IS SUBJECT TO § 23-102.2 OF THIS~~  
7 ~~ARTICLE.~~

8           (5) ~~“Jurisdictional emergency medical services operational program”~~  
9 ~~means the institution, agency, corporation, or other entity that has been approved by the~~  
10 ~~EMS Board to provide oversight of emergency medical services for each of the local~~  
11 ~~government and State and federal emergency medical services programs.~~

12           (6) ~~“Program” means the Public Access Automated External Defibrillator~~  
13 ~~Program.~~

14           (7) ~~“Regional administrator” means the individual employed by the~~  
15 ~~Institute as regional administrator in each EMS region.~~

16           (8) ~~“Regional council” means an EMS advisory body as created by the Code~~  
17 ~~of Maryland Regulations 30.05.~~

18           (9) ~~“Regional council AED committee” means a committee appointed by the~~  
19 ~~regional council consisting of:~~

20           (i) ~~The regional medical director;~~

21           (ii) ~~The regional administrator; and~~

22           (iii) ~~Three or more individuals with knowledge of and expertise in~~  
23 ~~AEDs.~~

24           (10) ~~“Registered facility” means an organization, a business association, an~~  
25 ~~agency, or any other entity that meets the requirements of the EMS Board for registering~~  
26 ~~with the Program.~~

27 **23-102.2.**

28           (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
29 **INDICATED.**

1           (2) “AUTOMATED EXTERNAL DEFIBRILLATOR (AED)” ~~MEANS A HAS~~  
 2 ~~THE MEANING STATED IN § 13-517 OF THIS ARTICLE. MEDICAL HEART MONITOR AND~~  
 3 ~~DEFIBRILLATOR DEVICE THAT:~~

4           ~~(I) IS CLEARED FOR MARKET BY THE FEDERAL FOOD AND~~  
 5 ~~DRUG ADMINISTRATION;~~

6           ~~(II) RECOGNIZES THE PRESENCE OR ABSENCE OF~~  
 7 ~~VENTRICULAR FIBRILLATION OR RAPID VENTRICULAR TACHYCARDIA;~~

8           ~~(III) DETERMINES, WITHOUT INTERVENTION BY AN OPERATOR,~~  
 9 ~~WHETHER DEFIBRILLATION SHOULD BE PERFORMED;~~

10           ~~(IV) ON DETERMINING THAT DEFIBRILLATION SHOULD BE~~  
 11 ~~PERFORMED, AUTOMATICALLY CHARGES; AND~~

12           ~~(V) 1. REQUIRES OPERATOR INTERVENTION TO DELIVER~~  
 13 ~~THE ELECTRICAL IMPULSE; OR~~

14           ~~2. AUTOMATICALLY CONTINUES WITH DELIVERY OF THE~~  
 15 ~~ELECTRICAL IMPULSE.~~

16           (3) (I) “LIBRARY” ~~INCLUDES:~~

17           ~~1. THE STATE LIBRARY RESOURCE CENTER;~~

18           ~~2. A REGIONAL RESOURCE CENTER;~~

19           ~~3. A CORRECTIONAL FACILITY LIBRARY;~~

20           ~~4. 3. A COUNTY LIBRARY SYSTEM AND THE ENOCH PRATT~~  
 21 ~~FREE LIBRARY IN BALTIMORE;~~

22           ~~5. 4. THE MARYLAND STATE LIBRARY FOR THE BLIND~~  
 23 ~~AND PRINT DISABLED;~~

24           ~~6. 5. THE MARYLAND DEAF CULTURE DIGITAL LIBRARY;~~  
 25 ~~AND~~

26           ~~7. 6. A METROPOLITAN COOPERATIVE SERVICE PROGRAM~~  
 27 ~~MEANS:~~

28           ~~1. EACH BRANCH OF A COUNTY LIBRARY SYSTEM; OR~~

1                                   **2. THE ENOCH PRATT FREE LIBRARY.**

2                   **(II) “LIBRARY” DOES NOT INCLUDE A:**

3                                   **1. A SCHOOL LIBRARY MEDIA PROGRAM ESTABLISHED**  
4 **BY A LOCAL SCHOOL SYSTEM;**

5                                   **2. A MOBILE LIBRARY UNIT; OR**

6                                   **3. A CORRECTIONAL FACILITY LIBRARY.**

7           **(B) BEGINNING JANUARY 1, 2026, EACH OPERATOR OF A LIBRARY SHALL:**

8                                   **(1) PLACE AN AUTOMATED EXTERNAL DEFIBRILLATOR IN A**  
9 **PROMINENT AREA, ACCESSIBLE TO EMPLOYEES AND LIBRARY USERS;**

10                                   **(2) COMPLY WITH § 13-517 OF THIS ARTICLE; AND**

11                                   ~~**(2) (3) MAINTAIN THE FUNCTIONALITY OF THE AUTOMATED**~~  
12 ~~**EXTERNAL DEFIBRILLATOR; AND**~~

13                                   ~~**(3) ENSURE THAT AN INDIVIDUAL TRAINED IN THE OPERATION OF**~~  
14 ~~**THE AUTOMATED EXTERNAL DEFIBRILLATOR IS PRESENT AT ANY TIME DURING**~~  
15 ~~**WHICH THE LIBRARY IS OPEN TO USE.**~~

16           **(C) IN ADDITION TO ANY OTHER IMMUNITIES AVAILABLE UNDER**  
17 **STATUTORY OR COMMON LAW:**

18                                   **(1) A LIBRARY IS NOT CIVILLY LIABLE FOR ANY ACT OR OMISSION IN**  
19 **THE PROVISION OF AUTOMATED EXTERNAL DEFIBRILLATION IF THE LIBRARY HAS**  
20 **SATISFIED THE REQUIREMENTS UNDER THIS SECTION;**

21                                   **(2) AN INDIVIDUAL IS NOT CIVILLY LIABLE FOR ANY ACT OR**  
22 **OMISSION IF:**

23                                   **(I) THE INDIVIDUAL IS ACTING IN GOOD FAITH WHILE**  
24 **RENDERING AUTOMATED EXTERNAL DEFIBRILLATION TO ANOTHER INDIVIDUAL**  
25 **WHO IS THE VICTIM OR IS REASONABLY BELIEVED BY THE INDIVIDUAL TO BE A**  
26 **VICTIM OF A SUDDEN CARDIAC ARREST;**

27                                   **(II) THE ASSISTANCE OR AID IS PROVIDED IN A REASONABLY**  
28 **PRUDENT MANNER; AND**

1 (III) THE AUTOMATED EXTERNAL DEFIBRILLATION IS PROVIDED  
2 WITHOUT FEE OR OTHER COMPENSATION; AND

3 (3) A LIBRARY OR INDIVIDUAL IS NOT CIVILLY LIABLE FOR FAILING  
4 TO RENDER AUTOMATED EXTERNAL DEFIBRILLATION TO AN INDIVIDUAL WHO IS A  
5 VICTIM OR IS REASONABLY BELIEVED TO BE A VICTIM OF A SUDDEN CARDIAC  
6 ARREST.

7 ~~(D) THE MARYLAND DEPARTMENT OF HEALTH AND THE MARYLAND~~  
8 ~~INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS JOINTLY SHALL ADOPT~~  
9 ~~REGULATIONS THAT:~~

10 ~~(1) ESTABLISH GUIDELINES FOR PERIODIC INSPECTIONS AND~~  
11 ~~ANNUAL MAINTENANCE OF THE AUTOMATED EXTERNAL DEFIBRILLATORS;~~

12 ~~(2) ASSIST THE OPERATOR OF A LIBRARY IN CARRYING OUT THE~~  
13 ~~PROVISIONS OF THIS SECTION; AND~~

14 ~~(3) REQUIRE EACH LIBRARY SUBJECT TO THIS SECTION TO REGISTER~~  
15 ~~WITH THE MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS~~  
16 ~~IN ORDER TO:~~

17 ~~(I) MAKE ITS LOCATION PUBLICLY AVAILABLE TO EMERGENCY~~  
18 ~~DISPATCHERS; AND~~

19 ~~(II) RECEIVE MAINTENANCE AND RECALL NOTICES FROM THE~~  
20 ~~MARYLAND INSTITUTE FOR EMERGENCY MEDICAL SERVICES SYSTEMS.~~

21 SECTION 2. AND BE IT FURTHER ENACTED, That, on or before December 1,  
22 2026, the Maryland Institute for Emergency Medical Services Systems shall report to the  
23 Senate Committee on Education, Energy, and the Environment and the House ~~Economic~~  
24 ~~Matters~~ Ways and Means Committee, in accordance with § 2–1257 of the State Government  
25 Article, on:

26 (1) the libraries that registered automated external defibrillators in  
27 accordance with ~~regulations adopted under~~ § 23–102.2 of the Education Article, as enacted  
28 by Section 1 of this Act; and

29 (2) the number of adverse cardiac events that required the use of an  
30 automated external defibrillator experienced in the libraries that registered the automated  
31 external defibrillators.

32 SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect  
33 October 1, 2025.