

HOUSE BILL 94

By Gravitt

AN ACT to amend Tennessee Code Annotated, Title 49
and Title 68, relative to automated external
defibrillators.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-2-122, is amended by deleting subsection (a) and substituting instead the following:

(a) LEAs are required to place at least one (1) automated external defibrillator (AED) device in each school.

SECTION 2. Tennessee Code Annotated, Title 68, Chapter 140, Part 4, is amended by adding the following as a new section:

68-140-410.

(a) This section shall be known and may be cited as "The Lovin Law".

(b) An owner or operator of a publicly operated or privately operated facility having a capacity for occupancy of five hundred (500) or more people as determined by the fire marshal shall:

(1) Make available at least one (1) functional AED for emergency use;

(2) Ensure the presence of at least one (1) person employed by the facility who is trained in the operation of the AED at all functions open to the public or to customers; and

(3) Inspect the AED as required according to the manufacturer's recommendations for the AED.

(c) Notwithstanding § 63-6-218, a facility described in subsection (b) is not civilly liable for any personal injury that results from an act or omission that does not amount to

willful or wanton misconduct or gross negligence if the owner or operator of the facility, and any employee using the AED, comply with this section, § 68-140-408, and the rules adopted by the department of health pursuant to § 68-140-405.

(d) This section does not apply to any school to which § 49-2-122 applies.

SECTION 3. Tennessee Code Annotated, Section 68-140-405, is amended by adding the following language as a new subdivision:

() Requirements of facilities to effectuate the purposes of § 68-140-410.

SECTION 4. For purposes of rule promulgation, this act shall take effect upon becoming a law, the public welfare requiring it. For all other purposes, this act shall take effect January 1, 2018, the public welfare requiring it.