



State of Wisconsin  
2023 - 2024 LEGISLATURE

LRB-3721/1  
FFK&ARG:cde

## 2023 SENATE BILL 349

June 29, 2023 - Introduced by Senators SMITH, AGARD, ROYS and LARSON, cosponsored by Representatives J. ANDERSON, BEHNKE, BALDEH, BILLINGS, CABRERA, DONOVAN, EMERSON, JOERS, MYERS, OHNSTAD, ORTIZ-VELEZ, PALMERI, SINICKI, STUBBS and SUBECK. Referred to Committee on Health.

\*\*\*AUTHORS SUBJECT TO CHANGE\*\*\*

1     **AN ACT** *to renumber and amend* 118.2935 (1); *to amend* 118.2935 (5); and *to*  
2     *create* 36.11 (59), 118.2935 (1) (a) and 118.2935 (3p) of the statutes; **relating**  
3     **to:** requiring an automated external defibrillator at youth athletic activities  
4     operated or sponsored by a public or private school and at athletic events of  
5     University of Wisconsin System institutions.

---

### ***Analysis by the Legislative Reference Bureau***

This bill requires automated external defibrillators (AEDs) to be available at high school athletic activities and University of Wisconsin System athletic events.

#### ***Youth athletic activities at public and private high schools***

This bill requires each public and private high school that operates or sponsors a youth athletic activity to 1) ensure that an AED is available for use at the youth athletic activity and there is at least one individual present at the youth athletic activity who has current proficiency in the use of an AED achieved through instruction provided by a person that is approved by the Department of Health Services and 2) develop and implement a plan for the use of an AED at youth athletic activities. Under current law and the bill, a “youth athletic activity” is defined as an organized athletic activity in which the participants, a majority of whom are under 19 years of age, are engaged in an athletic game or competition against another team, club, or entity, or in practice or preparation for an organized athletic game or competition against another team, club, or entity. Current law requires a person who

**SENATE BILL 349**

operates a youth athletic activity, including a public or private school, to provide information about the nature and risk of sudden cardiac arrest during youth athletic activities to coaches and participants before a season of a youth athletic activity that is offered to individuals who are 12 years of age or older.

***Athletic events at UW System institutions***

The bill also requires UW System institutions to have AEDs available for use at athletic events along with individuals proficient in the use of the AED. The bill defines an “athletic event” as an intercollegiate athletic competition in which a UW System institution’s team members participate or an organized event at which team members practice or prepare for competition under supervision of a coach. The bill also requires the Board of Regents of the UW System to develop a plan for the use of AEDs at athletic events and requires UW System institutions to implement the plan.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

---

***The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:***

1           **SECTION 1.** 36.11 (59) of the statutes is created to read:

2           36.11 **(59)** AUTOMATED EXTERNAL DEFIBRILLATORS AT ATHLETIC EVENTS. (a) In this  
3 subsection:

4           1. “Athletic event” means an intercollegiate athletic competition in which an  
5 institution’s team members participate or an organized event at which an  
6 institution’s team members practice or prepare for competition under supervision of  
7 a coach.

8           2. “Automated external defibrillator” has the meaning given in s. 256.15 (1) (cr).

9           3. “Team members” means student athletes, enrolled in an institution, for  
10 whom eligibility requirements for athletic participation are established by a national  
11 association or conference that regulates collegiate athletics.

12           (b) The board shall ensure that an automated external defibrillator is available  
13 for use at each athletic event of an institution.

**SENATE BILL 349**

1 (c) The board shall develop a plan for the use of an automated external  
2 defibrillator at athletic events of an institution and shall require each institution to  
3 implement the plan.

4 (d) The board shall require each institution to have present at an athletic event  
5 of the institution at least one individual who has current proficiency in the use of an  
6 automated external defibrillator achieved through instruction by an instructor  
7 approved under s. 46.03 (38).

8 **SECTION 2.** 118.2935 (1) of the statutes is renumbered 118.2935 (1) (intro.) and  
9 amended to read:

10 118.2935 (1) (intro.) In this section, ~~“youth;~~

11 (b) “Youth athletic activity” has the meaning given in s. 118.293 (1) (c).

12 **SECTION 3.** 118.2935 (1) (a) of the statutes is created to read:

13 118.2935 (1) (a) “Automated external defibrillator” has the meaning given in  
14 s. 256.15 (1) (cr).

15 **SECTION 4.** 118.2935 (3p) of the statutes is created to read:

16 118.2935 (3p) A public or private school that operates or sponsors a youth  
17 athletic activity shall do all of the following:

18 (a) Ensure that an automated external defibrillator is available for use at youth  
19 athletic activities operated or sponsored by the public or private school.

20 (b) Develop and implement a plan for the use of an automated external  
21 defibrillator at youth athletic activities operated or sponsored by the public or  
22 private school.

23 (c) Ensure that there is at least one individual present at each youth athletic  
24 activity operated or sponsored by the public or private school who has current  
25 proficiency in the use of an automated external defibrillator achieved through

**SENATE BILL 349**

1 instruction provided by an individual, organization, or institution of higher  
2 education achieved through instruction approved under s. 46.03 (38) to provide such  
3 instruction.

4 **SECTION 5.** 118.2935 (5) of the statutes is amended to read:

5 118.2935 (5) ~~This section~~ Subsection (3m) does not apply after June 30, 2032.

6 **SECTION 6. Effective date.**

7 (1) This act takes effect on the first day of the 7th month beginning after  
8 publication.

9 (END)