

1-1 By: VanDeaver, Kuempel (Senate Sponsor - Perry) H.B. No. 4375  
 1-2 (In the Senate - Received from the House May 3, 2023;  
 1-3 May 4, 2023, read first time and referred to Committee on  
 1-4 Education; May 18, 2023, reported favorably by the following vote:  
 1-5 Yeas 12, Nays 0; May 18, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			
1-19	X			
1-20	X			

1-21 A BILL TO BE ENTITLED  
 1-22 AN ACT

1-23 relating to instruction in cardiopulmonary resuscitation and the  
 1-24 use of an automated external defibrillator in public schools.

1-25 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-26 SECTION 1. The heading to Section 7.026, Education Code, is  
 1-27 amended to read as follows:

1-28 Sec. 7.026. DONATIONS FOR USE RELATED TO CARDIOPULMONARY  
 1-29 RESUSCITATION (CPR) AND AUTOMATED EXTERNAL DEFIBRILLATOR (AED)  
 1-30 INSTRUCTION.

1-31 SECTION 2. Section 7.026(a), Education Code, is amended to  
 1-32 read as follows:

1-33 (a) The agency may accept donations, including donations of  
 1-34 equipment, for use in providing instruction in cardiopulmonary  
 1-35 resuscitation (CPR) and the use of an automated external  
 1-36 defibrillator (AED) [instruction] to students. The agency:

1-37 (1) shall distribute the donations to school districts  
 1-38 for the purpose of providing CPR and AED instruction to students  
 1-39 under Sections 28.0023 and 29.903; and

1-40 (2) may use a portion of the donations to the extent  
 1-41 necessary to pay administrative expenses related to the donations.

1-42 SECTION 3. Sections 28.0023(b), (c), (e), and (g),  
 1-43 Education Code, are amended to read as follows:

1-44 (b) The State Board of Education by rule shall require  
 1-45 instruction in cardiopulmonary resuscitation and the use of an  
 1-46 automated external defibrillator, for students in grades 7 through  
 1-47 12.

1-48 (c) A school district or open-enrollment charter school  
 1-49 shall provide instruction to students in grades 7 through 12 in  
 1-50 cardiopulmonary resuscitation and the use of an automated external  
 1-51 defibrillator in a manner consistent with the requirements of this  
 1-52 section and State Board of Education rules adopted under this  
 1-53 section. The instruction may be provided as a part of any course. A  
 1-54 student shall receive the instruction at least once before  
 1-55 graduation.

1-56 (e) Cardiopulmonary resuscitation instruction must include  
 1-57 training in cardiopulmonary resuscitation techniques and the use of  
 1-58 an automated external defibrillator that has been developed:

1-59 (1) by the American Heart Association or the American  
 1-60 Red Cross; or

1-61 (2) using nationally recognized, evidence-based

2-1 guidelines for emergency cardiovascular care and incorporating  
2-2 psychomotor skills to support the instruction.

2-3 (g) A school district or open-enrollment charter school may  
2-4 use emergency medical technicians, paramedics, police officers,  
2-5 firefighters, representatives of the American Heart Association or  
2-6 the American Red Cross, teachers, other school employees, or other  
2-7 similarly qualified individuals to provide instruction and  
2-8 training under this section. Instruction provided under this  
2-9 section is not required to result in certification in  
2-10 cardiopulmonary resuscitation or the use of an automated external  
2-11 defibrillator. If instruction is intended to result in  
2-12 certification in cardiopulmonary resuscitation or the use of an  
2-13 automated external defibrillator, the course instructor must be  
2-14 authorized to provide the instruction by the American Heart  
2-15 Association, the American Red Cross, or a similar nationally  
2-16 recognized association.

2-17 SECTION 4. The heading to Section 29.903, Education Code,  
2-18 is amended to read as follows:

2-19 Sec. 29.903. CARDIOPULMONARY RESUSCITATION (CPR) AND  
2-20 AUTOMATED EXTERNAL DEFIBRILLATOR (AED) INSTRUCTION; DONATIONS TO  
2-21 SCHOOL DISTRICTS FOR USE IN CPR AND AED INSTRUCTION.

2-22 SECTION 5. Sections 29.903(a) and (c), Education Code, are  
2-23 amended to read as follows:

2-24 (a) A school district may accept from the agency donations  
2-25 the agency receives under Section 7.026 for use in providing  
2-26 instruction to students in the principles and techniques of CPR and  
2-27 the use of an AED. A district may accept other donations,  
2-28 including donations of equipment, for use in providing the  
2-29 instruction.

2-30 (c) A district may use resources other than those made  
2-31 available under Section 7.026 or this section to provide  
2-32 instruction to students in the principles and techniques of CPR and  
2-33 the use of an AED.

2-34 SECTION 6. This Act applies beginning with the 2023-2024  
2-35 school year.

2-36 SECTION 7. This Act takes effect immediately if it receives  
2-37 a vote of two-thirds of all the members elected to each house, as  
2-38 provided by Section 39, Article III, Texas Constitution. If this  
2-39 Act does not receive the vote necessary for immediate effect, this  
2-40 Act takes effect September 1, 2023.

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