



California AED Statute

California Civil Code - 1714.2

(a) In order to encourage citizens to participate in emergency medical services training programs and to render emergency medical services to fellow citizens, no person who has completed a basic cardiopulmonary resuscitation course which complies with the standards adopted by the American Heart Association or the American Red Cross for cardiopulmonary resuscitation and emergency cardiac care, and who, in good faith, renders emergency cardiopulmonary resuscitation at the scene of an emergency shall be liable for any civil damages as a result of any acts or omissions by such person rendering the emergency care.

(b) This section shall not be construed to grant immunity from civil damages to any person whose conduct in rendering such emergency care constitutes gross negligence.

(c) In order to encourage local agencies and other organizations to train citizens in cardiopulmonary resuscitation techniques, no local agency, entity of state or local government, or other public or private organization which sponsors, authorizes, supports, finances, or supervises the training of citizens in cardiopulmonary resuscitation shall be liable for any civil damages alleged to result from such training programs.

(d) In order to encourage qualified individuals to instruct citizens in cardiopulmonary resuscitation, no person who is certified to instruct in cardiopulmonary resuscitation by either the American Heart Association or the American Red Cross shall be liable for any civil damages alleged to result from the acts or omissions of an individual who received instruction on cardiopulmonary resuscitation by that certified instructor.

(e) This section shall not be construed to grant immunity from civil damages to any person who renders such emergency care to an individual with the expectation of receiving compensation from the individual for providing the emergency care.

California AED Statute

California Civil Code - 1714.21

(a) For purposes of this section, the following definitions shall apply:

(1) "AED" or "defibrillator" means an automated external defibrillator.

(2) "CPR" means cardiopulmonary resuscitation.



(b) Any person who, in good faith and not for compensation, renders emergency care or treatment by the use of an AED at the scene of an emergency is not liable for any civil damages resulting from any acts or omissions in rendering the emergency care.

(c) A person or entity who provides CPR and AED training to a person who renders emergency care pursuant to subdivision (b) is not liable for any civil damages resulting from any acts or omissions of the person rendering the emergency care.

(d) (1) A person or entity that acquires an AED for emergency use pursuant to this section is not liable for any civil damages resulting from any acts or omissions in the rendering of the emergency care by use of an AED if that person or entity has complied with subdivision (b) of Section 1797.196 of the Health and Safety Code.

(2) A physician and surgeon or other health care professional that is involved in the selection, placement, or installation of an AED pursuant to Section 1797.196 of the Health and Safety Code is not liable for civil damages resulting from acts or omissions in the rendering of emergency care by use of that AED.

(e) The protections specified in this section do not apply in the case of personal injury or wrongful death that results from the gross negligence or willful or wanton misconduct of the person who renders emergency care or treatment by the use of an AED.

(f) This section does not relieve a manufacturer, designer, developer, distributor, installer, or supplier of an AED or defibrillator of any liability under any applicable statute or rule of law.

California AED Statute

California Health and Safety Code - 1797.196

(a) For purposes of this section, “AED” or “defibrillator” means an automated external defibrillator.

(b) (1) In order to ensure public safety, a person or entity that acquires an AED shall do all of the following:

(A) Comply with all regulations governing the placement of an AED.

(B) Notify an agent of the local EMS agency of the existence, location, and type of AED acquired.

(C) Ensure that the AED is maintained and tested according to the operation and maintenance guidelines set forth by the manufacturer.



(D) Ensure that the AED is tested at least biannually and after each use.

(E) Ensure that an inspection is made of all AEDs on the premises at least every 90 days for potential issues related to operability of the device, including a blinking light or other obvious defect that may suggest tampering or that another problem has arisen with the functionality of the AED.

(F) Ensure that records of the maintenance and testing required pursuant to this paragraph are maintained.

(2) When an AED is placed in a building, the building owner shall do all of the following:

(A) At least once a year, notify the tenants as to the location of the AED units and provide information to tenants about who they can contact if they want to voluntarily take AED or CPR training.

(B) At least once a year, offer a demonstration to at least one person associated with the building so that the person can be walked through how to use an AED properly in an emergency. The building owner may arrange for the demonstration or partner with a nonprofit organization to do so.

(C) Next to the AED, post instructions, in no less than 14-point type, on how to use the AED.

(3) A medical director or other physician and surgeon is not required to be involved in the acquisition or placement of an AED.

(c) (1) When an AED is placed in a public or private K–12 school, the principal shall ensure that the school administrators and staff annually receive information that describes sudden cardiac arrest, the school’s emergency response plan, and the proper use of an AED. The principal shall also ensure that instructions, in no less than 14-point type, on how to use the AED are posted next to every AED. The principal shall, at least annually, notify school employees as to the location of all AED units on the campus.

(2) This section does not prohibit a school employee or other person from rendering aid with an AED.

(d) A manufacturer or retailer supplying an AED shall provide to the acquirer of the AED all information governing the use, installation, operation, training, and maintenance of the AED.

(e) A violation of this section is not subject to penalties pursuant to Section 1798.206.

(f) Nothing in this section or Section 1714.21 of the Civil Code may be construed to require a building owner or a building manager to acquire and have installed an AED in any building.

(g) For purposes of this section, “local EMS agency” means an agency established pursuant to Section

1797.200.

(h) This section does not apply to facilities licensed pursuant to subdivision (a), (b), (c), or (f) of Section 1250.

California AED Statute

California Health and Safety Code - 104113

(a) Every health studio, as defined in subdivision (h), shall acquire, maintain, and train personnel in the use of, an automatic external defibrillator pursuant to this section.

(b) An employee of a health studio who renders emergency care or treatment is not liable for civil damages resulting from the use, attempted use, or nonuse of an automatic external defibrillator, except as provided in subdivision (f).

(c) When an employee uses, does not use, or attempts to use an automatic external defibrillator consistent with the requirements of this section to render emergency care or treatment, the members of the board of directors of the facility shall not be liable for civil damages resulting from an act or omission in rendering the emergency care or treatment, including the use or nonuse of an automatic external defibrillator, except as provided in subdivision (f).

(d) Except as provided in subdivisions (f) and (g), when an employee of a health studio renders emergency care or treatment using an automatic external defibrillator, the owners, managers, employees, or otherwise responsible authorities of the facility shall not be liable for civil damages resulting from an act or omission in the course of rendering that emergency care or treatment, provided that the facility fully complies with subdivision (e).

(e) Notwithstanding Section 1797.196, in order to ensure public safety, a health studio shall do all of the following:

(1) Comply with all regulations governing the placement of an automatic external defibrillator.

(2) Ensure all of the following:

(A) The automatic external defibrillator is maintained and regularly tested according to the operation and maintenance guidelines set forth by the manufacturer, the American Heart Association, or the American Red Cross, and according to any applicable rules and regulations set forth by the governmental authority under the federal Food and Drug Administration and any other applicable state and federal authority.



(B) The automatic external defibrillator is checked for readiness after each use and at least once every 30 days if the automatic external defibrillator has not been used in the preceding 30 days. The health studio shall maintain records of these checks.

(C) A person who renders emergency care or treatment to a person in cardiac arrest by using an automatic external defibrillator activates the emergency medical services system as soon as possible, and reports the use of the automatic external defibrillator to the licensed physician and to the local EMS agency.

(D) For every automatic external defibrillator unit acquired, up to five units, no less than one employee per automatic external defibrillator unit shall complete a training course in cardiopulmonary resuscitation and automatic external defibrillator use that complies with the regulations adopted by the Emergency Medical Services Authority and the standards of the American Heart Association or the American Red Cross. After the first five automatic external defibrillator units are acquired, for each additional five automatic external defibrillator units acquired, a minimum of one employee shall be trained beginning with the first additional automatic external defibrillator unit acquired. Acquirers of automatic external defibrillator units shall have trained employees who should be available to respond to an emergency that may involve the use of an automatic external defibrillator unit during staffed operating hours. Acquirers of automatic external defibrillator units may need to train additional employees to ensure that a trained employee is available at all times.

(E) There is a written plan that exists that describes the procedures to be followed in the event of an emergency that may involve the use of an automatic external defibrillator, to ensure compliance with the requirements of this section. The written plan shall include, but not be limited to, immediate notification of 911 and trained office personnel at the start of automatic external defibrillator procedures.

(3) A health studio that allows its members access to its facility during times when it does not have an employee on the premises shall do all of the following:

(A) Require that all employees who work on the health studio's premises complete a training course, within 30 days of beginning employment, in cardiopulmonary resuscitation and automated external defibrillator use, that complies with the regulations adopted by the Emergency Medical Services Authority, and the Standards of the American Heart Association or the American Red Cross.

(B) Ensure that a trained employee is on the health studio's premises for no fewer than 50 hours per week.

(C) Inform a member, at the time the member contracts for the use of the health studio, that a trained employee will not be on the health studio's premises at all times.



(D) Deny access to the health studio when an employee is not present if the health studio operates in a space that is larger than 6,000 square feet.

(f) Subdivisions (b), (c), and (d) do not apply in the case of personal injury or wrongful death that results from gross negligence or willful or wanton misconduct on the part of the person who uses, attempts to use, or maliciously fails to use an automatic external defibrillator to render emergency care or treatment.

(g) A health studio that allows its members access to its facilities during operating hours when employees trained in the use of automatic external defibrillators are not on the facility premises, waives the provisions of subdivision (d) and the affirmative defense of primary assumption of the risk, whether express or implied, as to a claim arising out of the absence of trained staff.

(h) For purposes of this section, “health studio” means a facility permitting the use of its facilities and equipment or access to its facilities and equipment, to individuals or groups for physical exercise, body building, reducing, figure development, fitness training, or any other similar purpose, on a membership basis. “Health studio” does not include a hotel or similar business that offers fitness facilities to its registered guests for a fee or as part of the hotel charges.

California AED Statute

California Health and Safety Code - 19300

(a) This chapter applies to all of the following structures, as defined in Chapter 3 (commencing with Section 301.1) of Part 2, the California Building Code, of Title 24, the California Building Standards Code, of the California Code of Regulations, that are constructed on or after January 1, 2017, or are constructed prior to January 1, 2017, and modified, renovated, or tenant improved, as described in subdivision (b), subsequent to that date:

- (1) Group A assembly buildings with an occupancy of greater than 300.
- (2) Group B business buildings with an occupancy of 200 or more.
- (3) Group E educational buildings with an occupancy of 200 or more.
- (4) Group F factory buildings with an occupancy of 200 or more.
- (5) Group I institutional buildings with an occupancy of 200 or more.
- (6) Group M mercantile buildings with an occupancy of 200 or more.

(7) Group R residential buildings with an occupancy of 200 or more, excluding single-family and multifamily dwelling units.

(b) A structure shall be considered modified, renovated, or tenant improved for purposes of subdivision (a) if the structure is subject to any of the following on or after January 1, 2020:

(1) One hundred thousand dollars (\$100,000) of tenant improvements in one calendar year.

(2) One hundred thousand dollars (\$100,000) of building renovations in one calendar year.

(3) Any tenant improvement for places of assembly, including auditoriums and performing arts and movie theaters.

(c) A structure described in subdivision (a) or (b) that is an occupied structure shall have an automated external defibrillator (AED) on the premises subject to the requirements in Section 1797.196. A person or entity that acquires an AED for emergency care pursuant to this section shall not be liable for any civil damages resulting from any acts or omissions in the rendering of the emergency care by use of an AED if that person or entity has complied with subdivision (b) of Section 1797.196.

(d) (1) This chapter shall not apply to a structure in subdivision (a) or (b) that is owned or operated by any local government entity.

(2) This chapter shall not apply to a health facility licensed under subdivision (a), (b), (c), or (f) of Section 1250 of the Health and Safety Code.

(e) If there is an existing AED in the common area of the structure, the requirements of this section are met without the installation of another AED.

(f) Except for structures specified in subdivision (b), this chapter shall not be construed to apply to a structure that is vacant or under construction or renovation.



California AED Statute

California Health and Safety Code - 116045 - Swimming Pool Sanitation and Safety

(a) Lifeguard service shall be provided for any public swimming pool that is of wholly artificial construction and for the use of which a direct fee is charged. For all other public swimming pools, lifeguard service shall be provided or signs shall be erected clearly indicating that the service is not provided.

(b) Every public swimming pool that is required to provide lifeguard services and that charges a direct fee, as defined in subdivision (e), shall provide on its premises an Automated External Defibrillator (AED) unit. The AED unit shall be readily available during pool operations.

(c) (1) In order to ensure public safety, a person or entity that acquires an AED pursuant to these provisions shall comply with Section 1797.196.

(2) Pursuant to subdivision (d) of Section 1714.21 of the Civil Code, a person or entity that acquires an AED for emergency care pursuant to this section shall not be liable for any civil damages resulting from any acts or omissions in the rendering of emergency care by use of the AED.

(3) Pursuant to subdivision (b) of Section 1714.21 of the Civil Code, a volunteer who in good faith renders emergency care or treatment at the scene of an emergency with the use of an AED that is provided under this section shall not be liable for any civil damages resulting from any acts or omissions in rendering the emergency care, subject to the limitation in subdivision (e) of that section.

(d) For purposes of this section, a complex of two or more proximate pools that charges a single fee for admission to all of those pools shall be considered one single public swimming pool.

(e) For purposes of this section, the following definitions shall apply:

(1) "Direct fee," as used in this section, "fee" means a separately stated fee or charge for the use of a public swimming pool to the exclusion of any other service, facility, or amenity.

(2) "Public swimming pool" means any public swimming pool defined in Section 116025 that is open to the public.

California AED Statute

California Education Code - 49417

(a) A public school may solicit and receive nonstate funds to acquire and maintain an automated external defibrillator (AED). These funds shall only be used to acquire and maintain an AED and to provide training to school employees regarding use of an AED.

(b) Except as provided in subdivision (d), if an employee of a school district complies with Section 1714.21 of the Civil Code in rendering emergency care or treatment through the use, attempted use, or nonuse of an AED at the scene of an emergency, the employee shall not be liable for any civil damages resulting from any act or omission in the rendering of the emergency care or treatment.

(c) Except as provided in subdivision (d), if a public school or school district complies with the requirements of Section 1797.196 of the Health and Safety Code, the public school or school district shall be covered by Section 1714.21 of the Civil Code and shall not be liable for any civil damages resulting from any act or omission in the rendering of the emergency care or treatment.

(d) Subdivisions (b) and (c) do not apply in the case of personal injury or wrongful death that results from gross negligence or willful or wanton misconduct on the part of the person who uses, attempts to use, or maliciously fails to use an AED to render emergency care or treatment.

(e) This section does not alter the requirements of Section 1797.196 of the Health and Safety Code.

California AED Statute

California Education Code - 51225.6

(a) If the governing board of a school district or the governing body of a charter school requires a course in health education for graduation from high school, the governing board of a school district or the governing body of a charter school shall include, commencing with the 2018-19 school year, instruction in performing compression-only cardiopulmonary resuscitation (CPR). This instruction shall include both of the following:

(1) An instructional program based on national evidence-based emergency cardiovascular care guidelines for the performance of compression-only CPR, such as those developed by the American Heart Association or the American Red Cross.

(2) Instruction to pupils relative to the psychomotor skills necessary to perform compression-only CPR. For purposes of this paragraph, "psychomotor skills" means skills that pupils are required to perform as hands-on practice to support cognitive learning.

(b) Before the commencement of the 2017-18 school year, the department shall provide guidance on how to implement this section, including, but not limited to, who may provide instruction pursuant to this section.

(c) The governing board of a school district or the governing body of a charter school is encouraged to provide to pupils general information on the use and importance of an automated external defibrillator (AED). The physical presence of an AED in the classroom is not required.

(d) The governing board of a school district or the governing body of a charter school may adopt policies to implement this section.

(e) (1) The governing board of a school district or the governing body of a charter school providing instruction in performing compression-only CPR or information on the use of an AED pursuant to this section is encouraged to use the most cost-effective means possible to implement that requirement.

(2) This section shall not be construed to require the governing board of a school district or the governing body of a charter school to make any purchases, including, but not limited to, purchasing an AED.

(f) (1) A local agency, entity of state or local government, or other public or private organization that sponsors, authorizes, supports, finances, or supervises the instruction of pupils in compression-only CPR or the use of an AED pursuant to this section shall not be liable for any civil damages alleged to result from the acts or omissions of an individual who received such instruction.

(2) A public employee who provides or facilitates the instruction of pupils in compression-only CPR or the use of an AED pursuant to this section shall not be liable for any civil damages alleged to result from the acts or omissions of an individual who received such instruction.

(3) This subdivision shall not be construed to grant immunity from civil damages to any person who provides or facilitates the instruction of pupils in compression-only CPR or the use of an AED in a manner that constitutes gross negligence or willful or wanton misconduct.

California AED Statute

California Education Code - 35179.4.

If a school district or charter school elects to offer any interscholastic athletic program, the governing board of the school district or the governing body of the charter school shall ensure that there is a written emergency action plan in place that describes the location and procedures to be followed in the event of sudden cardiac arrest and other medical emergencies related to the athletic program's



activities or events. The written emergency action plan shall be posted in compliance with the most recent pertinent guidelines of the National Federation of State High School Associations.

California AED Statute

California Education Code - 35179.6.

(a) For purposes of this section, an “AED” is an automated external defibrillator.

(b) (1) Commencing July 1, 2019, if a school district or charter school elects to offer any interscholastic athletic program, the school district or the charter school shall acquire at least one AED for each school within the the school district or the charter school. The school district or the charter school is encouraged to ensure that the AED or AEDs are available for the purpose of rendering emergency care or treatment within a recommended three to five minutes of sudden cardiac arrest to pupils, spectators, and any other individuals in attendance at the athletic program’s on-campus activities or events, and shall ensure that the AED or AEDs are available to athletic trainers and coaches and authorized persons at these activities or events.

(2) (A) If a school district or charter school elects to offer any interscholastic athletic program, the school district or charter school shall require personnel with a valid certification of cardiopulmonary resuscitation training that includes the instruction described in subdivision (c) of Section 44277 to be present at the athletic program’s on-campus activities or events at all times.

(B) A school district or charter school shall not require personnel not otherwise required by law or the bylaws of the California Interscholastic Federation to hold a valid certification of cardiopulmonary resuscitation training to obtain that training for purposes of complying with subparagraph (A), unless it has been negotiated as part of a collective bargaining process.

(c) Subdivision (b) of Section 49417 applies for the purposes of determining whether an employee of a school district is liable for any civil damages resulting from the employee’s use, attempted use, or nonuse of an AED in the rendering of emergency care or treatment pursuant to this section.

(d) Subdivision (c) of Section 49417 applies for the purposes of determining whether if a public school or school district is liable for any civil damages resulting from any act or omission in the rendering of emergency care or treatment pursuant to this section.

(e) Except as provided in subdivision (g), if an employee of a charter school complies with Section 1714.21 of the Civil Code in rendering emergency care or treatment through the use, attempted use, or nonuse of an AED at the scene of an emergency, the employee is not liable for any civil damages resulting from any act or omission in the rendering of the emergency care or treatment.



(f) Except as provided in subdivision (g), if a charter school complies with the requirements of Section 1797.196 of the Health and Safety Code, the charter school is covered by Section 1714.21 of the Civil Code Code, and is not liable for any civil damages resulting from any act or omission in the rendering of the emergency care or treatment.

(g) Subdivisions (e) and (f) do not apply in the case of personal injury or wrongful death that results from gross negligence or willful or wanton misconduct on the part of the person who uses, attempts to use, or fails to use an AED to render emergency care or treatment.

(h) In order to ensure public safety, each school district or charter school that elects to offer any interscholastic athletic program shall ensure that its AED or AEDs are maintained and regularly tested according to the operation and maintenance guidelines set forth by the manufacturer, the American Heart Association, or the American Red Cross, and according to any applicable rules and regulations set forth by the governmental authority under the federal Food and Drug Administration and any other applicable state and federal authority.

(i) This section does not alter the requirements of Section 1797.196 of the Health and Safety Code.

California AED Statute

California Public Utilities Code - 99175.

(a) A public entity that operates, or contracts for the operation of, a commuter rail system shall ensure that each train has an automated external defibrillator (AED) as part of its safety equipment subject to the requirements in Section 1797.196 of the Health and Safety Code. As used in this subdivision, “commuter rail system” does not include intercity passenger rail services, including state-funded intercity passenger rail services managed under an interagency transfer agreement by the LOSSAN Rail Corridor Agency, the San Joaquin Joint Powers Authority, or the Capitol Corridor Joint Powers Authority, and does not include light rail or rapid transit services managed by local agencies.

(b) An affected public entity may provide training for their employees on the use of the AEDs as part of their regularly scheduled safety or other training sessions.

(c) (1) An affected public entity shall install AEDs pursuant to this section by July 1, 2020.

(2) The Peninsula Corridor Joint Powers Board shall be exempt from paragraph (1) and shall instead ensure that trainsets procured as part of the Caltrain Electrification Project are equipped with AEDs.

(d) (1) Upon completion of the installation of AEDs, the public entity shall transmit confirmation of its compliance in writing to the Public Utilities Commission.

(2) If an affected public entity is in compliance with the requirements of this section when it becomes effective, it shall notify the Public Utilities Commission pursuant to paragraph (1).

(e) An affected public entity that acquires an AED for emergency care pursuant to this section shall not be liable for any civil damages resulting from any acts or omissions in the rendering of the emergency care by use of an AED if the public entity has complied with paragraph (1) of subdivision (b) of Section 1797.196 of the Health and Safety Code.

California AED Regulation

California Code of Regulations -

None.