

CHAPTER 164

EDUCATION - PUBLIC SCHOOLS

SENATE BILL 25-191

BY SENATOR(S) Roberts and Jodeh, Amabile, Ball, Bridges, Catlin, Cutter, Danielson, Daugherty, Exum, Frizell, Hinrichsen, Kipp, Kirkmeyer, Lundeen, Marchman, Michaelson Jenet, Mullica, Snyder, Sullivan, Wallace, Weissman, Winter F., Coleman; also REPRESENTATIVE(S) Lukens and Gilchrist, Bacon, Bird, Boesenecker, Brown, Camacho, Carter, Clifford, Duran, Froelich, Hamrick, Joseph, Lieder, Lindsay, Martinez, McCormick, Phillips, Rutinel, Rydin, Smith, Stewart K., Story, Valdez, Woodrow, McCluskie.

AN ACT

CONCERNING CARDIAC EMERGENCY PREPAREDNESS, AND, IN CONNECTION THEREWITH, REMOVING CERTAIN REQUIREMENTS RELATED TO WRITTEN PLANS FOR AUTOMATED EXTERNAL DEFIBRILLATOR USE AND IMPOSING CERTAIN REQUIREMENTS RELATED TO AUTOMATED EXTERNAL DEFIBRILLATOR MAINTENANCE AND PLACEMENT IN SCHOOLS.

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. In Colorado Revised Statutes, 13-21-108.1, **amend** (2), (3)(a)(IV), and (4)(b) introductory portion; and **repeal** (4)(b)(I) as follows:

13-21-108.1. Persons rendering emergency assistance through the use of automated external defibrillators - limited immunity - definition. (2) As used in this section, unless the context otherwise requires,

~~(a)~~ "AED" or "defibrillator" means an automated external defibrillator that:

~~(i)~~ (a) Has received approval of its premarket notification filed pursuant to 21 U.S.C. sec. 360 (k) from the federal food and drug administration;

~~(ii)~~ (b) Is capable of recognizing the presence or absence of ventricular fibrillation or rapid ventricular tachycardia, and is capable of determining, without intervention by an operator, whether defibrillation should be performed; and

~~(iii)~~ (c) Upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to an individual's heart.

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

~~(b) "Licensed physician" means a physician licensed to practice medicine in this state.~~

(3) (a) In order to ensure public health and safety, a person or entity who acquires an AED shall ensure that:

(IV) Written plans are in place concerning the placement of AEDs, training of personnel, pre-planned coordination with the emergency medical services system, medical oversight, AED maintenance, ~~identification of personnel authorized to use AEDs; and reporting of AED utilization; which written plans have been reviewed and approved by a licensed physician; and~~

~~(4) (b) The limited immunity provided in paragraph (a) of this subsection (4) SUBSECTION (4)(a) OF THIS SECTION extends to:~~

~~(I) The licensed physician who reviewed and approved the written plans described in subparagraph (IV) of paragraph (a) of subsection (3) of this section;~~

SECTION 2. In Colorado Revised Statutes, **add** 22-1-129.7 as follows:

22-1-129.7. Placement and maintenance of automated external defibrillator

- definitions. (1) AS USED IN THIS SECTION, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(a) "AUTOMATED EXTERNAL DEFIBRILLATOR" OR "AED" MEANS AN AUTOMATED EXTERNAL DEFIBRILLATOR APPROVED FOR SALE BY THE FEDERAL FOOD AND DRUG ADMINISTRATION.

(b) "LOCAL EDUCATION PROVIDER" MEANS A SCHOOL DISTRICT, A CHARTER SCHOOL AUTHORIZED BY A SCHOOL DISTRICT PURSUANT TO PART 1 OF ARTICLE 30.5 OF THIS TITLE 22, A CHARTER SCHOOL AUTHORIZED BY THE STATE CHARTER SCHOOL INSTITUTE PURSUANT TO PART 5 OF ARTICLE 30.5 OF THIS TITLE 22, A BOARD OF COOPERATIVE SERVICES CREATED AND OPERATING PURSUANT TO ARTICLE 5 OF THIS TITLE 22 THAT OPERATES ONE OR MORE PUBLIC HIGH SCHOOLS, A FACILITY SCHOOL APPROVED PURSUANT TO SECTION 22-2-407, OR AN INDIAN TRIBE OR TRIBAL ORGANIZATION.

(2) (a) ON OR BEFORE JANUARY 1, 2026, IF A PUBLIC SCHOOL ACQUIRES OR HAS ACQUIRED AN AED, THE LOCAL EDUCATION PROVIDER THAT OPERATES THE PUBLIC SCHOOL SHALL REQUIRE THE PUBLIC SCHOOL TO PLACE AND MAINTAIN THE AED IN ACCORDANCE WITH NATIONALLY RECOGNIZED, EVIDENCE-BASED STANDARDS FOR EMERGENCY CARDIOVASCULAR CARE.

(b) ON OR BEFORE JANUARY 1, 2026, IF A NONPUBLIC SCHOOL ACQUIRES OR HAS ACQUIRED AN AED, THE GOVERNING AUTHORITY OF THE NONPUBLIC SCHOOL SHALL REQUIRE THE NONPUBLIC SCHOOL TO PLACE AND MAINTAIN THE AED IN ACCORDANCE WITH NATIONALLY RECOGNIZED, EVIDENCE-BASED STANDARDS FOR EMERGENCY CARDIOVASCULAR CARE.

SECTION 3. Safety clause. The general assembly finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, or safety or for appropriations for the support and maintenance of the departments of the state and state institutions.

Approved: May 5, 2025