SENATE HEALTH, HUMAN SERVICES AND SENIOR CITIZENS COMMITTEE

STATEMENT TO

SENATE COMMITTEE SUBSTITUTE FOR
SENATE, Nos. 1210 and 1252

STATE OF NEW JERSEY

DATED: FEBRUARY 22, 2024

The Senate Health, Human Services and Senior Citizens Committee reports favorably a Senate Committee Substitute for Senate Bill Nos. 1210 and 1252.

This substitute would require an automated external defibrillator (AED) on-site at certain places of public assembly and at certain youth athletic events in the State.

The substitute defines a "place of public assembly" to mean an indoor or outdoor facility, building, or other site, which has the capacity to accommodate large public assemblies of at least 1,000 people at a time, including, but not limited to, a stadium, ballpark, gymnasium, race track, field house, arena, civic center, or other similar facility used for the conduct of sporting events; and any concert hall, recital hall, theater, indoor or outdoor amphitheater, or other auditorium space used for the presentation of musical renditions or concerts. A "place of public assembly" would not include any hall owned by a church, religious organization, grange, public association, or free library.

In addition to any other requirements provided by law or regulation, the substitute would establish certain requirements for the owner or operator of each place of public assembly to acquire and maintain on-site at the place of public assembly at least one AED. The owner or operator of each place of public assembly will additionally be required to develop and implement a cardiac event response protocol.

Any person who violates the substitute's requirements for places of large public assemblies would be liable to a civil penalty.

The substitute requires municipal or county recreation departments and certain nonprofit youth serving organizations who organize or sponsor youth athletic events to have an AED available on site at each youth athletic event and practice that is organized or sponsored by the department or organization and held on the department's or organization's home field. A recreation department or youth serving organization will be deemed to be in compliance with the AED requirement if a State-certified emergency services provider, licensed athletic trainer, or other certified first responder is on site at the

athletic event or practice and has an AED available for use on site. A municipal or county recreation department will not be held liable for any act or omission of any person who uses a defibrillator solely on the basis that the defibrillator was used on a field owned by the recreation department during a youth athletic event that was not sponsored or organized by the department.

The substitute provides certain immunity from civil liability to places of public assembly, their owners and operators, and their employees and volunteers, and to recreation departments or youth serving organizations and their employees and volunteer umpires, coaches, and licensed athletic trainers in association with the acquisition and use of an AED. In addition, a place of public assembly, its owner and operator, and its employees and volunteers will be immune from civil or criminal liability resulting from the malfunctioning of an AED if the AED has been maintained and tested in accordance with the manufacturer's operational guidelines, as required by the substitute.