S T A T E O F N E W Y O R K

4443

2009-2010 Regular Sessions

I N A S S E M B L Y

February 4, 2009

Introduced by M. of A. MARKEY, WEISENBERG, DINOWITZ, SEMINERIO, MILLMAN, BENJAMIN, JAFFEE, MAGNARELLI -- Multi-Sponsored by -- M. of A. BRADLEY, BRENNAN, COLTON, COOK, CUSICK, DelMONTE, KOON, V. LOPEZ, McENENY, REILLY -- read once and referred to the Committee on Economic Development, Job Creation, Commerce and Industry

AN ACT to amend the general business law, in relation to requiring a golf course to make available at least one functional cardiac defibrillator and requiring that employees of such facility be trained in its proper operation and use

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The general business law is amended by adding a new section 391-q to read as follows:

S 391-Q. FUNCTIONAL CARDIAC DEFIBRILLATOR AT GOLF COURSE. 1. FOR THE PURPOSES OF THIS SECTION, THE TERM "GOLF COURSE OPERATOR" SHALL INCLUDE ANY PERSON, FIRM, CORPORATION, PARTNERSHIP, UNINCORPORATED ASSOCIATION OR OTHER ENTITY, WHETHER PUBLICLY OR PRIVATELY OWNED OR OPERATED, MANAGING ANY GOLF COURSE.

2. A GOLF COURSE OPERATOR SHALL PROVIDE AND MAINTAIN ON-SITE AUTOMATED EXTERNAL DEFIBRILLATORS (AED), AS DEFINED IN PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION THREE THOUSAND-B OF THE PUBLIC HEALTH LAW, IN QUANTITIES AND TYPES DEEMED BY THE COMMISSIONER OF HEALTH TO BE ADEQUATE TO ENSURE READY AND APPROPRIATE ACCESS FOR USE DURING EMERGENCIES.

3. THE GOLF COURSE OPERATORS SHALL ENSURE THE PRESENCE DURING HOURS OF OPERATION OF AT LEAST ONE STAFF PERSON OR VOLUNTEER WHO IS TRAINED, PURSUANT TO PARAGRAPH (A) OF SUBDIVISION THREE OF SECTION THREE THOUSAND-B OF THE PUBLIC HEALTH LAW, IN THE OPERATION AND USE OF AN AED.

4. GOLF COURSE OPERATORS SHALL BE SUBJECT TO THE REQUIREMENTS AND LIMITATIONS OF SECTION THREE THOUSAND-B OF THE PUBLIC HEALTH LAW.

5. ANY GOLF COURSE OPERATOR, HIS OR HER EMPLOYEE OR OTHER AGENT, OR ANY PERSON WHO VOLUNTARILY AND WITHOUT EXPECTATION OF MONETARY COMPEN-

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets [ ] is old law to be omitted.

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SATION RENDERS EMERGENCY TREATMENT USING SUCH DEFIBRILLATOR PURSUANT TO THIS SECTION, TO A PERSON WHO IS UNCONSCIOUS, ILL OR INJURED, SHALL ONLY BE LIABLE PURSUANT TO SECTION THREE THOUSAND-A OF THE PUBLIC HEALTH LAW.

S 2. This act shall take effect on the one hundred twentieth day after it shall have become a law, provided, however, that effective immediately, the addition, amendment and/or repeal of any rules or regulations necessary for the implementation of this act on its effective date are authorized and directed to be made and completed on or before such effective date.