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

2392--A

2011-2012 Regular Sessions

I N A S S E M B L Y

January 18, 2011

Introduced by M. of A. MARKEY, MILLMAN, BENEDETTO, JAFFEE, WEISENBERG, MONTESANO, WEPRIN, ROBINSON, ROSENTHAL, SCHIMEL, ESPINAL, ZEBROWSKI, ORTIZ, ENGLEBRIGHT, ROBERTS -- Multi-Sponsored by -- M. of A. ABBATE, ARROYO, BOYLAND, CALHOUN, COLTON, COOK, CRESPO, GOTTFRIED, GRAF, McENENY, McKEVITT, MENG, PERRY, REILLY, P. RIVERA, SALADINO, TITONE -- read once and referred to the Committee on Health -- reported and referred to the Committee on Codes -- recommitted to the Committee on Codes in accordance with Assembly Rule 3, sec. 2 -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the public health law, in relation to requiring golf course operators to make available at least one functional cardiac defibrillator and requiring that employees of such facilities 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 public health law is amended by adding a new section 3000-e to read as follows:

S 3000-E. FUNCTIONAL CARDIAC DEFIBRILLATOR AT GOLF COURSE. 1. FOR THE PURPOSES OF THIS SECTION, THE FOLLOWING TERMS SHALL BE DEFINED AS FOLLOWS:

A. "GOLF COURSE" MEANS AN AREA OF LAND LAID OUT FOR GOLF WITH A SERIES OF NINE OR EIGHTEEN HOLES EACH INCLUDING TEE, FAIRWAY, AND PUTTING GREEN.

B. "GOLF COURSE OPERATOR" MEANS ANY PERSON, FIRM, CORPORATION, PARTNERSHIP, UNINCORPORATED ASSOCIATION OR OTHER ENTITY, WHETHER PUBLICLY OR PRIVATELY OWNED OR OPERATED, THAT MANAGES ANY GOLF COURSE.

2. GOLF COURSE OPERATORS SHALL PROVIDE AND MAINTAIN ON-SITE AUTOMATED EXTERNAL DEFIBRILLATORS (AED), AS DEFINED IN PARAGRAPH (A) OF SUBDIVISION ONE OF SECTION THREE THOUSAND-B OF THIS ARTICLE, IN QUANTITIES AND

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

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TYPES DEEMED BY THE COMMISSIONER TO BE ADEQUATE TO ENSURE READY AND APPROPRIATE ACCESS FOR USE DURING EMERGENCIES.

3. EVERY GOLF COURSE OPERATOR SHALL HAVE IN ATTENDANCE, AT ALL TIMES DURING STAFFED BUSINESS HOURS, AT LEAST ONE INDIVIDUAL PERFORMING EMPLOYMENT OR INDIVIDUAL ACTING AS AN AUTHORIZED VOLUNTEER WHO IS TRAINED, PURSUANT TO PARAGRAPH (A) OF SUBDIVISION THREE OF SECTION THREE THOUSAND-B OF THIS ARTICLE, 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 THIS ARTICLE.

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

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.