STATE OF NEW YORK

5539--A

2025-2026 Regular Sessions

IN SENATE

February 24, 2025

Introduced by Sens. BASKIN, BRISPORT, CLEARE, COMRIE, FERNANDEZ, HINCHEY, JACKSON, KAVANAGH, PERSAUD, SALAZAR, SCARCELLA-SPANTON, WEBB -- read twice and ordered printed, and when printed to be committed to the Committee on Education -- committee discharged, bill amended, ordered reprinted as amended and recommitted to said committee

AN ACT to amend the education law, in relation to requiring schools safety plans to include a cardiac emergency response plan

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

Section 1. This act shall be known and may be cited as "Desha's law".

§ 2. Subdivision 1 of section 917 of the education law, as amended by chapter 61 of the laws of 2002, is amended to read as follows:

1. School districts, boards of cooperative educational services, county vocational education and extension boards and charter schools shall provide and maintain on-site in each instructional school facility automated external defibrillator (AED) equipment, 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 in consultation with the commissioner of health to be adequate to ensure ready and appropriate access for use during emergencies. **Such automated external defibrillators shall be clearly marked, accessible, and maintained consistent with guidelines set by the American Heart Association, or other nationally recognized guidelines focused on emergency cardiovascular care.**

§ 3. Paragraphs h, l and m of subdivision 2 of section 2801-a of the education law, paragraph h as amended by section 1 of part B of chapter 54 of the laws of 2016 and paragraphs l and m as amended by chapter 30 of the laws of 2021, are amended and a new paragraph n is added to read as follows:

h. policies and procedures for annual school safety training for staff and students; provided that the district must certify to the commission-

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

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er that all staff have undergone annual training on the emergency response plan, and that the school safety training include components on violence prevention [~~and~~], mental health and sudden cardiac arrest, such training may be implemented and conducted in conjunction with existing professional development and training; provided however that new employees hired after the start of the school year shall receive training within thirty days of such hire or as part of a district's existing new hire training program, whichever is sooner;

l. the designation of the superintendent, or superintendent's designee, as the district chief emergency officer responsible for coordinating communication between school staff and law enforcement and first responders, and ensuring staff understanding of the district-level safety plan. The chief emergency officer shall also be responsible for ensuring the completion and yearly updating of building-level emergency response plans; [~~and~~]

m. protocols for responding to a declared state disaster emergency involving a communicable disease that are substantially consistent with the provisions of section twenty-seven-c of the labor law[~~.~~]; and

n. policies and procedures relating to sudden cardiac arrest. The district-wide school safety team shall develop and implement a cardiac emergency response plan that addresses the use of appropriate personnel to respond to incidents involving any individual experiencing sudden cardiac arrest or similar life-threatening emergency on any school site owned or operated by a school or at a location of a school sponsored event, including but not limited to all athletic programs. Such plan shall be a written document and shall include specific procedures for incidents involving an individual experiencing sudden cardiac arrest or a similar life-threatening emergency while attending or participating in an athletic practice or event while on school grounds that are venue specific. Each plan shall integrate nationally recognized, evidence-based core elements, such as those recommended by the American Heart Association. School officials shall consider how to best integrate their cardiac emergency response plan into community EMS responder protocols. The district-wide school safety team may provide first aid, CPR, and AED training for relevant staff, including members of building-level emergency response teams provided for in subdivision four of this section, provided that such training shall be voluntary.

§ 4. Paragraph a of subdivision 3 of section 2801-a of the education law, as amended by section 1 of part B of chapter 54 of the laws of 2016, is amended to read as follows:

a. policies and procedures for response to emergency situations, such as those requiring evacuation, sheltering, [~~and~~] lock-down, and sudden cardiac arrest. These policies shall include, at a minimum, evacuation routes, shelter sites, and procedures for addressing medical needs, transportation and emergency notification of parents and guardians;

§ 5. Paragraph a of subdivision 3 of section 2801-a of the education law, as amended by chapter 25 of the laws of 2025, is amended to read as follows:

a. policies and procedures for response to emergency situations, such as those requiring evacuation, sheltering, [~~and~~] lock-down, and sudden cardiac arrest. These policies shall include, at a minimum, evacuation routes, shelter sites, and procedures for addressing medical needs, transportation and emergency notification of parents and guardians;

§ 6. This act shall take effect on the one hundred eightieth day after it shall have become a law; provided, however, that the amendments to paragraph a of subdivision 3 of section 2801-a of the education law made

by section five of this act shall take effect on the same date and in the same manner as chapter 25 of the laws of 2025, takes effect. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made and completed on or before such effective date.