



2025-2026 General Assembly

SENATE BILL 257: 2026 Appropriations Act, Sec. 7.38: Cardiac Emergency Response Plans and One AED Per School.

Analysis of: S.L. 2026-41, Sec. 7.38

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Section 7.38 of S.L. 2026-41 (Senate Bill 257), as amended by Section 3.10 of S.L. 2026-61 (House Bill 268) directs the governing body of each public school unit (PSU) to develop a cardiac emergency response plan (CERP) that addresses the appropriate response of school personnel to incidents involving individuals experiencing sudden cardiac arrest or a similar life-threatening emergency while on school grounds. The CERP must integrate evidence-based core elements, including those recommended by the American Heart Association, or other nationally recognized recommendations.

CERP – The CERP must be reviewed and updated annually and must do at least the following:

- Establish a cardiac emergency response team.
- Describe how the response team will be activated in response to a cardiac emergency.
- Identify the school staff who will receive annual training on cardiopulmonary resuscitation (CPR) and use of automatic external defibrillators (AEDs). School nurses and any staff with supervisory responsibility over students participating in physical activity must complete this training.
- Plan annual practice drills for the response team.
- Describe how local emergency service providers will be integrated into the plan.

School officials must work directly with local emergency service providers to integrate the CERP into the community's emergency medical service responder protocols.

Rules – The State Board of Education (SBE) must adopt rules for the installation, use, and maintenance of AEDs in PSUs that include provisions for the following:

- Installation and placement of at least one AED in each school in a PSU with appropriate AED placement being determined from guidelines set by the American Heart Association or an organization focused on emergency cardiovascular care.
- Implementation of an appropriate training course for public school personnel in the use of AEDs, including the role of CPR and first aid.
- Proper maintenance and testing of the AEDs.
- Coordination with appropriate licensed professionals in the oversight of training on the AEDs.

Funding – Funds allocated under this section can only be used for AED purchase and installation or training on cardiac emergency response. Of the \$4 million dollars in nonrecurring funds appropriated to the Department of Public Instruction (DPI) for the 2026-2027 fiscal year to ensure there is at least one

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AED installed in each public school and for training on cardiac emergency response, DPI must do the following:

- Allocate to PSUs \$2,000 dollars per school in the unit that does not have at least one AED installed on school grounds. If funds are insufficient to provide this amount per school, DPI must distribute the funds pro rata.
- If funds remain after the initial distribution, DPI can establish a process to distribute the remaining funds for replacement of existing AEDs or to support training required under a school's CERP.

Report – By December 1, 2027, DPI must report to the Joint Legislative Education Oversight Committee and the Fiscal Research Division on the number of public schools that have at least one AED installed, an overview of cardiac emergency training provided with funds allocated under this section, and any measurable impact on public school medical emergency readiness.

Limitation on Liability – Section 3.10 of S.L. 2026-61 states that a governing body of a PSU, its members, designees, agents, volunteers, or employees are not liable in civil damages for any authorized act or for any omission relating to that act unless the act or omission amounts to gross negligence, wanton conduct, or intentional wrongdoing. Any person, serving in a voluntary position at the request of or with the permission or consent of the governing body of a PSU who has been given the authority by the PSU to give emergency health care when reasonably apparent circumstances indicate that any delay would seriously worsen the physical condition or endanger the life of a person experiencing a medical emergency on school grounds is not liable in civil damages for any authorized act or for any omission relating to the act unless the act amounts to gross negligence, wanton conduct, or intentional wrongdoing.

Section 7.38 of S.L. 2026-41 became effective July 7, 2026, and applies beginning with the 2026-2027 school year. Section 3.10 of S.L. 2026-61 became effective July 1, 2026.