

2026 South Dakota Legislature

House Bill 1073

AMENDMENT 1073B FOR THE INTRODUCED BILL

1 **An Act to provide for the creation of a cardiac emergency plan in every school and**
2 **to make an appropriation therefor.**

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 **Section 1. That a NEW SECTION be added to chapter 13-33A:**

5 Each board of a school district and governing board of an accredited nonpublic
6 school shall provide for the implementation of a cardiac emergency response plan in every
7 school under its control.

8 Each plan must be developed in collaboration with local emergency service
9 providers, using nationally recognized core elements related to cardiac emergency
10 response. The plan must provide for:

- 11 (1) The creation of a cardiac emergency response team able to respond to incidents of
12 sudden cardiac arrest or similar life-threatening emergencies on school grounds;
- 13 (2) The placement of automated external defibrillators in clearly marked, unlocked,
14 accessible locations on school grounds and at each athletic venue where practices
15 or competitions are held;
- 16 (3) The provision of staff training in cardiopulmonary resuscitation and the use of an
17 automated external defibrillator; and
- 18 (4) The procedures for responding to incidents of sudden cardiac arrest or similar life-
19 threatening emergencies at all school sanctioned or school sponsored activities on
20 school grounds.

21 The board of each school district and the governing board of each accredited
22 nonpublic school shall review the cardiac emergency response plan for every school under
23 its control and shall provide for the annual testing and any required maintenance of each
24 automated external defibrillator.

25 The board of each school district and the governing board of each accredited
26 nonpublic school shall conduct, at each school under its control, an annual drill responding

1 to incidents of sudden cardiac arrest or similar life-threatening emergencies, as provided
2 in the school's cardiac emergency response plan.

3 **Section 2. That a NEW SECTION be added to chapter 13-33A:**

4 Every public and accredited nonpublic school shall arrange for annual training in
5 cardiopulmonary resuscitation, first-aid, and the use of an automated external defibrillator
6 for each employee serving as:

7 (1) An athletic trainer, licensed pursuant to chapter 36-29;
8 (2) A coach participating in a school sanctioned or school sponsored athletic activity;
9 (3) A school nurse; and
10 (4) A member of the school's cardiac emergency response team, pursuant to section
11 1 of this Act.

12 Every public and accredited nonpublic school shall arrange for annual training in
13 cardiopulmonary resuscitation, first-aid, and the use of an automated external defibrillator
14 for each employee serving as a member of the school's cardiac emergency response team,
15 pursuant to section 1 of this Act.

16 Training must consist of at least three hours of instruction, be provided by an
17 emergency medical services provider, or an organization approved by the Department of
18 Health, and follow evidence-based guidelines on emergency cardiovascular care set forth
19 by a nationally recognized organization. Training may occur in-person or online, as set
20 forth in each school's cardiac emergency response plan.

21 **Section 3. That a NEW SECTION be added to chapter 13-33A:**

22 Except in the case of gross negligence, a school district, the board of a district, and
23 any employee, student, or volunteer of a district are immune from any civil or criminal
24 liability resulting from an act or omission related to a cardiac emergency response plan
25 developed in accordance with this Act.

26 Except in the case of gross negligence, an accredited nonpublic school, the
27 governing board of an accredited nonpublic school, and any employee, student, or
28 volunteer of a nonpublic school are immune from any civil or criminal liability resulting
29 from an act or omission related to a cardiac emergency response plan developed in
30 accordance with this Act.

1 **Section 4.** There is appropriated \$150,000 from the general fund, to the Department of
2 Health, for grants to school districts and accredited nonpublic schools for the purchase of
3 automated external defibrillators.

4 **Section 5.** The secretary of the Department of Health shall approve vouchers and the state
5 auditor shall draw warrants to pay expenditures authorized in this Act.

6 **Section 6.** Any amounts appropriated in this Act not lawfully expended or obligated shall
7 revert in accordance with the procedures described in chapter 4-8.