



2026 South Dakota Legislature

House Bill 1073

HOUSE EDUCATION ENGROSSED

Introduced by: **Representative Heermann**

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;

15 (3) The provision of staff training in cardiopulmonary resuscitation and the use of an
 16 automated external defibrillator; and

17 (4) The procedures for responding to incidents of sudden cardiac arrest or similar life-
 18 threatening emergencies on school grounds.

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

23 The board of each school district and the governing board of each accredited
 24 nonpublic school shall conduct, at each school under its control, an annual drill responding
 25 to incidents of sudden cardiac arrest or similar life-threatening emergencies, as provided
 26 in the school's cardiac emergency response plan.

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

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

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

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

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

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

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

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

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