AN ACT TO ESTABLISH A PROGRAM FOR THE PURPOSE OF REIMBURSING COUNTIES AND MUNICIPALITIES FOR A PORTION OF THE COST OF PURCHASING AUTOMATIC EXTERNAL DEFIBRILLATORS (AEDs) FOR USE BY LOCAL LAW ENFORCEMENT OFFICERS, FIRE FIGHTERS AND EMERGENCY MEDICAL SERVICES PERSONS; TO CREATE A SPECIAL FUND IN THE STATE TREASURY TO BE DESIGNATED AS THE "AUTOMATIC EXTERNAL DEFIBRILLATOR REIMBURSEMENT FUND"; TO PROVIDE THAT THE STATE FISCAL OFFICER SHALL TRANSFER THE SUM OF $1.1 MILLION FROM THE STATE GENERAL FUND TO THE SPECIAL FUND IN TWO EQUAL PAYMENTS, WITH THE FIRST PAYMENT ON JULY 1, 2001, AND THE SECOND PAYMENT ON JANUARY 1, 2002; TO PROVIDE THAT THE TOTAL AMOUNT OF REIMBURSEMENT FROM THE FUND FOR A COUNTY OR MUNICIPALITY, AND THE PORTION OF THE AED PURCHASE PRICE THAT WILL BE REIMBURSABLE FROM THE FUND, WILL BE BASED ON THE POPULATION OF THE COUNTY OR MUNICIPALITY; TO SPECIFICALLY AUTHORIZE ANY LOCAL LAW ENFORCEMENT OFFICER, FIRE FIGHTER OR EMERGENCY MEDICAL SERVICES PERSON TO USE AN AED FOR THE PURPOSE OF SAVING THE LIFE OF ANOTHER PERSON IN CARDIAC ARREST; TO PROVIDE THAT BEFORE ANY SUCH PERSON MAY USE AN AED, THE PERSON MUST OBTAIN APPROPRIATE TRAINING AS SPECIFIED BY THE COUNTY OR MUNICIPALITY, AND OBTAIN CERTIFICATION FROM THE COUNTY OR MUNICIPALITY AS HAVING RECEIVED THE TRAINING AND HAVING A DEMONSTRATED PROFICIENCY IN THE USE OF AN AED; AND FOR RELATED PURPOSES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

SECTION 1. (1) There is established a program for the purpose of reimbursing counties and municipalities for a portion of the cost of purchasing automatic external defibrillators (AEDs) for use by county sheriffs, deputy sheriffs, municipal police officers, other county and municipal law enforcement officers, fire fighters and emergency medical services (EMS) persons who are employed by the counties and municipalities. The program shall be administered by the Department of Finance and Administration. For the purposes of this act, the term "AED" shall be defined as in Section 41-60-31.

(2) There is created in the State Treasury a special fund to be designated as the "Automatic External Defibrillator Reimbursement Fund." The State Fiscal Officer shall transfer the sum of One Million One Hundred Thousand Dollars ($1,100,000.00)
from the State General Fund to this special fund. The transfer shall be made in two (2) equal payments, with the first payment to be made on July 1, 2001, and the second payment to be made on January 1, 2002. Such monies as are deposited into the fund under the provisions of this section may be expended by the Department of Finance and Administration upon appropriation by the Legislature, and upon requisition therefor by the executive director of the department, in accordance with the provisions of this section. Five Hundred Fifty Thousand Dollars ($550,000.00) shall be available for expenditure after July 1, 2001, and Five Hundred Fifty Thousand Dollars ($550,000.00) shall be available for expenditure after January 1, 2002. Unexpended amounts remaining in the fund at the end of a fiscal year shall not lapse into the State General Fund, and any interest earned on amounts in the fund shall be deposited to the credit of the fund.

(3) (a) A county shall be eligible to receive reimbursement from the fund for the purchase of AEDs as follows:

(i) If the population of the county in the areas outside of the incorporated municipalities in the county is five thousand (5,000) or more, according to the most recent federal decennial census, the county shall be reimbursed fifty percent (50%) of the actual purchase price of each AED purchased, not to exceed a total reimbursement amount of Five Thousand Dollars ($5,000.00) for all AEDs purchased by the county.

(ii) If the population of the county in the areas outside of the incorporated municipalities in the county is under five thousand (5,000), according to the most recent federal decennial census, the county shall be reimbursed seventy-five percent (75%) of the actual purchase price of each AED purchased, not to exceed a total reimbursement amount of Two Thousand Five Hundred Dollars ($2,500.00) for all AEDs purchased by the county.

(b) A municipality shall be eligible to receive reimbursement from the fund for the purchase of AEDs as follows:
(i) If the population of the municipality is five thousand (5,000) or more, according to the most recent federal decennial census, the municipality shall be reimbursed fifty percent (50%) of the actual purchase price of each AED purchased, not to exceed a total reimbursement amount of Five Thousand Dollars ($5,000.00) for all AEDs purchased by the municipality.

(ii) If the population of the municipality is under five thousand (5,000), according to the most recent federal decennial census, the municipality shall be reimbursed seventy-five percent (75%) of the actual purchase price of each AED purchased, not to exceed a total reimbursement amount of Two Thousand Five Hundred Dollars ($2,500.00) for all AEDs purchased by the municipality.

(c) The board of supervisors of a county or the governing authorities of a municipality, as the case may be, shall submit their requests for reimbursement from the fund to the Department of Finance and Administration, and shall provide documentation of the purchase of each AED and the actual purchase price of each AED. The department shall review each request, and if adequate documentation has been provided, the department shall reimburse the county or municipality as provided in this section.

Monies in the fund shall be available on a first come, first served basis, and no county or municipality has a right to reimbursement if there are not sufficient monies in the fund to make the reimbursement.

(4) The Department of Finance and Administration shall:

(a) Maintain an accurate record of all monies paid to counties and municipalities from the fund, those records to be kept separate from other records of the department;

(b) Notify counties and municipalities of the AED reimbursement program and the requirements for them to be eligible to receive reimbursement from the fund;
(c) Adopt and promulgate such rules and regulations as may be necessary and desirable to implement this section; and
(d) File with the Legislature on or before January 2, 2002, and on or before July 1, 2002, a report detailing how the monies in the fund were expended during the preceding portion of the fiscal year.

SECTION 2. Any county sheriff, deputy sheriff, municipal police officer, other county or municipal law enforcement officer, fire fighter or emergency medical services (EMS) person who is employed by a county or municipality may use an automatic external defibrillator (AED) for the purpose of saving the life of another person in cardiac arrest. However, before any such person may use an AED, the person must obtain appropriate training as specified by the county or municipality in which the person is employed, and obtain certification from the county or municipality as having received the training and having a demonstrated proficiency in the use of an AED. The training shall include, at a minimum, completion of a course in cardiopulmonary resuscitation (CPR) or successful completion of a basic first aid course that includes CPR training, and a course in the use of an AED.

SECTION 3. This act shall take effect and be in force from and after July 1, 2001.