

WEST VIRGINIA LEGISLATURE

2020 REGULAR SESSION

ENROLLED

Committee Substitute

for

House Bill 4497

BY DELEGATES MANDT, ATKINSON, CRISS, HILL,
LOVEJOY, MILLER, LINVILLE, WORRELL, HORNBUCKLE,
ROHRBACH AND ELLINGTON

[Passed March 7, 2020; in effect ninety days from
passage.]

1 AN ACT to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
2 designated §18-2-25c, relating to requiring the West Virginia Secondary School Activities
3 Commission to require that an automated external defibrillator device, as well as a posted
4 emergency action plan, be present on the school or event grounds during the duration of
5 all athletic events and practices under the control, supervision and regulation of the
6 commission, and that appropriate school sports personnel be trained in the use of the
7 device; requiring that rules be proposed for promulgation by the state board of education;
8 providing that no individual or entity be held liable for civil damages when the individual or
9 entity in good faith attempted to comply with certain requirements; and naming the law
10 The Alex Miller Law.

Be it enacted by the Legislature of West Virginia:

ARTICLE 2. STATE BOARD OF EDUCATION.

§18-2-25c. Defibrillator required at certain events.

1 (a) In memory of Alex Miller, a Roane County football player who collapsed and died during
2 a school football game, this law shall be known as The Alex Miller Law.

3 (b) By the 2021-2022 school year, the West Virginia Secondary School Activities
4 Commission shall require that an automated external defibrillator device, as well as a posted
5 emergency action plan, be present on the school or event grounds during the duration of all
6 athletic events and practices under the control, supervision, and regulation of the commission,
7 and that appropriate school sports personnel be trained in the use of the device.

8 (c) The commission shall propose rules for promulgation by the State Board in accordance
9 with §29A-3B-1 *et seq.* of this code to implement the provisions of this section including proximity.

10 (d) No individual, school, county board of education, or other entity shall be held liable for
11 civil damages when such individual, school, county board of education, or other entity in good
12 faith attempted to comply with the requirements of this section or rules promulgated pursuant
13 thereto.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

.....
Chairman, House Committee

.....
Chairman, Senate Committee

Originating in the House.

In effect ninety days from passage.

.....
Clerk of the House of Delegates

.....
Clerk of the Senate

.....
Speaker of the House of Delegates

.....
President of the Senate

The within this the.....
day of, 2020.

.....
Governor