

**LOCAL LAWS
OF
THE CITY OF NEW YORK
FOR THE YEAR 2019**

No. 140

Introduced by Council Members Matteo, Levine, Grodenchik, Yeger, Holden, Moya, Gjonaj, Koo, Brannan, Vallone and Rivera.

A LOCAL LAW

To amend the administrative code of the city of New York, in relation to distributing excess automated external defibrillators from youth baseball and softball to other sports

Be it enacted by the Council as follows:

Section 1. Subdivision a of section 4-209 of the administrative code of the city of New York, as amended by local law number 119 for the year 2018, is amended to read as follows:

a. Definitions. As used in this section, the following terms have the following meanings:

Automated external defibrillator. The term "automated external defibrillator" means a medical device, approved by the United States food and drug administration, that: (i) is capable of recognizing the presence or absence in a patient of ventricular fibrillation and rapid ventricular tachycardia; (ii) is capable of determining, without intervention by an individual, whether defibrillation should be performed on a patient; (iii) upon determining that defibrillation should be performed, automatically charges and requests delivery of an electrical impulse to a patient's heart; and (iv) upon action by an individual, delivers an appropriate electrical impulse to a patient's heart to perform defibrillation.

Department. The term "department" means the department of citywide administrative services or any successor of such department.

Training course. The term "training course" means a course approved by a nationally-recognized organization or the state emergency medical services council in the operation of automated external defibrillators.

Youth baseball league. The term "youth baseball league" means [baseball leagues with participants who are all 17 years old or younger, but includes grade school through high school athletic programs regardless of the age of the participants, other than the public school leagues, including school leagues, little leagues, community based organization leagues, and unaffiliated leagues] *a youth league that plays baseball.*

Youth league. The term "youth league" means youth recreation sports leagues other than the public school leagues, including school leagues, little leagues, community based organization leagues, and unaffiliated leagues.

Youth softball league. The term "youth softball league" means [softball leagues with participants who are all 17 years old or younger, but includes grade school through high school athletic programs regardless of the age of the participants, other than the public school leagues, including school leagues, little leagues, community based organization leagues, and unaffiliated leagues.] *a youth league that plays softball.*

Youth recreation. The term "youth recreation" means athletic activity with participants who are all 17 years old or younger, but includes grade school through high school athletic programs regardless of the age of the participants.

§ 2. Subdivision b of section 4-209 of the administrative code of the city of New York, as amended by local law number 119 for the year 2018, is amended to read as follows:

b. Subject to the provision of a sufficient number of automated external defibrillators and training courses by the department pursuant to subdivision c *or subdivision k*, a youth [baseball league or youth softball] league *provided with an automated external defibrillator pursuant to this section* using a field for which the department is the lessor shall:

1. make available an automated external defibrillator at every [baseball or softball] game and practice occurring at such field in which a team of such league participates; and

2. where practicable, ensure that there is at least one coach, umpire or other qualified adult who is present at each such game and practice who has successfully completed a training course within 24 months of each such game and practice.

§ 3. Subdivision h of section 4-209 of the administrative code of the city of New York, as amended by local law number 119 for the year 2018, is amended to read as follows:

h. Any youth [baseball league or youth softball] league that violates the provisions of subdivision b shall receive a warning for a first violation, and shall be liable for a civil penalty of \$500 for each subsequent violation, recoverable in a proceeding before any tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings. Any youth [baseball league or youth softball] league *provided with a device pursuant to this section* that violates the provisions of subdivision c *or subdivision k* shall be liable for a civil penalty of no more than \$2,500 for each automated external defibrillator that is not returned in satisfactory condition, recoverable in a proceeding before any tribunal established within the office of administrative trials and hearings or within any agency of the city of New York designated to conduct such proceedings.

§ 4. Section 4-209 of the administrative code of the city of New York is amended by adding a new subdivision k to read as follows:

k. If the department has any undistributed automated external defibrillators remaining after complying with subdivision c of this section, the department may distribute such automated external defibrillators to any other youth league at no cost to such youth league. Any automated external defibrillator so distributed shall be returned in satisfactory condition upon request of the department.

§ 5. Subdivision b of section 18-150 of the administrative code of the city of New York, as amended by local law number 119 for the year 2018 is amended to read as follows:

b. Subject to the provision of a sufficient number of automated external defibrillators and training courses by the department pursuant to subdivision c *or subdivision m*, a youth league using a ballfield under the jurisdiction and management of the department to play or practice baseball or softball, *or any other youth league provided with an automated external defibrillator pursuant to this section* shall:

1. make available an automated external defibrillator at every [baseball or softball] game and practice occurring at such field in which a team of such league participates; and
2. where practicable, ensure that there is at least one coach, umpire or other qualified adult who is present at each such game and practice who has successfully completed a training course within 24 months of each such game and practice.

§ 6. Section 18-150 of the administrative code of the city of New York is amended by adding a new paragraph m to read as follows:

m. If the department has any undistributed automated external defibrillators remaining after complying with subdivision c of this section, the department may distribute such automated external defibrillators to any other youth league at no cost to such youth league. Any automated external defibrillator so distributed shall be returned in satisfactory condition upon request of the department.

§ 7. This local law takes effect on January 1, 2020.

THE CITY OF NEW YORK, OFFICE OF THE CITY CLERK, s.s.:

I hereby certify that the foregoing is a true copy of a local law of The City of New York, passed by the Council on June 26, 2019 and returned unsigned by the Mayor on July 30, 2019.

MICHAEL M. McSWEENEY, City Clerk, Clerk of the Council.

CERTIFICATION OF CORPORATION COUNSEL

I hereby certify that the form of the enclosed local law (Local Law No. 140 of 2019, Council Int. No. 1042-A of 2018) to be filed with the Secretary of State contains the correct text of the local law passed by the New York City Council, presented to the Mayor and neither approved nor disapproved within thirty days thereafter.

STEVEN LOUIS, Acting Corporation Counsel.