

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 889**

By Senators Deeds, Barnhart, Hamilton, Takubo, and

Weld

[Introduced February 9, 2026; referred  
to the Committee on Education]

1 A BILL to amend and reenact §18-5-22e of the Code of West Virginia, 1931, as amended, relating  
 2 to the Hamza Syed Law; defining terms; and requiring recreational facilities to have an  
 3 automated external defibrillator accessible.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 5. COUNTY BOARD OF EDUCATION.**  
**§18-5-22e. Cardiac response plans.**

1 (a) For the purposes of this section, the following terms are defined:

2 "Automated external defibrillator" or "AED" means a lightweight, portable device that  
 3 delivers an electric shock through the chest to the heart.

4 "Cardiac emergency response plan" or "the plan" means a written document that  
 5 establishes the specific steps to reduce death from cardiac arrest.

6 "Recreation facility" means any building, structure, property, property; publicly or privately  
 7 owned; designed, constructed, operated, or maintained for the primary purposes of recreation or  
 8 physical activity.

9 "School" means any elementary or secondary school under the jurisdiction of a county  
 10 board of education.

11 "Sudden cardiac arrest" means when the heart malfunctions and stops beating  
 12 unexpectedly.

13 "Youth sports league team" means any team that is a member of an entity that organizes  
 14 and establishes rules for competitive youth sports activities other than the West Virginia  
 15 Secondary School Activities Commission or any other entity that organizes and establishes rules  
 16 for competitive youth sports activities exclusively for teams that are created by and represent  
 17 schools.

18 (b) A school shall develop a cardiac emergency response plan that provides for the  
 19 following:

20 (1) A school with an athletic department or organized athletic program shall develop a

21 cardiac emergency response plan that addresses the appropriate use of school personnel to  
22 respond to incidents involving an individual experiencing sudden cardiac arrest or a similar life-  
23 threatening emergency while attending or participating in an athletic practice or event while on  
24 school grounds and that is venue specific and practiced annually;

25 (2) A school shall develop a cardiac emergency response plan that addresses the  
26 appropriate use of school personnel to respond to incidents involving an individual experiencing  
27 sudden cardiac arrest or a similar life-threatening emergency while on school grounds outside of  
28 athletic events; and

29 (3) School staff trained in first-aid, CPR, and automated external defibrillator use that follow  
30 evidence-based guidelines including, but not limited to, licensed coaches, school nurses, and  
31 athletic trainers.

32 (c) Prior to the start of each athletic season, a school subject to this section shall hold an  
33 informational meeting for students, parents, guardians, or other persons having care or charge of  
34 a student, regarding the warning signs of sudden cardiac arrest for children of all ages.

35 (d) No student may participate in an athletic activity until the student has submitted to a  
36 designated school official, a form signed by the student and the parent, guardian, or other person  
37 having care or charge of the student, stating that the student and the parent, guardian, or other  
38 person having care or charge of the student have received and reviewed a copy of the cardiac  
39 emergency response plan developed by the school and posted on its webpage. A completed form  
40 shall be submitted each school year in which the student participates in an athletic activity.

41 (e) No individual may coach an athletic activity unless the individual has completed, on an  
42 annual basis, the sudden cardiac arrest training course approved by the Department of Education.

43 (f) A student shall not be allowed to participate in an athletic activity if either of the following  
44 is the case:

45 (1) The student is known to have exhibited syncope or fainting at any time prior to or  
46 following an athletic activity and has not been evaluated and cleared for return after exhibiting

47 syncope or fainting; or

48 (2) The student experiences syncope or fainting while participating in, or immediately  
49 following, an athletic activity.

50 (g) If a student is not allowed to participate in or is removed from participation in an athletic  
51 activity under subsection (f) of this section, the student shall not be allowed to return to  
52 participation until the student is evaluated and cleared for return in writing by any of the following:

53 (1) A physician authorized under §30-3-1 *et seq.* and §30-14-1 *et seq.* of this code;

54 (2) A certified nurse practitioner, or certified nurse specialist; or

55 (3) A physician assistant licensed under §30-3E-1 *et seq.* and §30-14A-1 *et seq.* of this  
56 code.

57 (h) School officials shall work directly with local emergency service providers to integrate  
58 the plan into the community's EMS responder protocols, which shall include, at a minimum, the  
59 following:

60 (1) Establishing a cardiac emergency response team;

61 (2) Activating the team in response to a sudden cardiac arrest;

62 (3) Implementing automated external defibrillator placement and routine maintenance  
63 within the school;

64 (4) Disseminating the plan throughout the school campus;

65 (5) Maintaining ongoing staff training in CPR/AED use;

66 (6) Plan for practicing skills learned;

67 (7) Integrating local EMS with the plan;

68 (8) Ongoing and annual review and evaluation of the plan; and

69 (9) Appropriate automated external defibrillator placement.

70 (i) The State Board of Education may promulgate a legislative rule pursuant §29A-3B-1 *et*  
71 *seq.* of this code to ensure compliance with this section by county school boards.

72 (j) A county board of education may accept gifts, grants, and donations, including in-kind

73 donations designated for the purchase of an automatic external defibrillator that meets the  
74 standards established by the United States Food and Drug Administration and for the costs  
75 incurred to inspect and maintain such device and train staff in the use of such device.

76 (k) Coaches and any other personnel supervising a youth sports league team that plays or  
77 practices on school grounds shall:

78 (1) Receive a copy of the cardiac emergency response plan;

79 (2) Locate and be aware of the automated external defibrillator placement on the school  
80 grounds;

81 (3) Maintain ongoing staff training in CPR/AED use; and

82 (4) Practice the skills learned.

83 (k) All recreation facilities shall have a functioning and registered AED on the premises and  
84 accessible to the public during the recreational facilities' operating hours. This subsection shall be  
85 known and may be cited as the "Hamza Syed Law".

NOTE: The purpose of this bill is to create the "Hamza Syed Law" which requires recreational facilities to have an automated external defibrillator accessible during its hours of operation.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.