

# HOUSE BILL No. 4141

February 6, 2001, Introduced by Rep. Jacobs and referred to the Committee on Regulatory Reform.

A bill to regulate certain health clubs with respect to potential medical emergencies; and to provide for civil sanctions.

## THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1       Sec. 1. As used in this act:
- 2       (a) "Department" means the department of community health.
- 3       (b) "Person" means an individual, partnership, corporation,
- 4 association, governmental entity, or other legal entity.
- 5       (c) "Health club" means an establishment that provides, as
- 6 its primary purpose, services or facilities that are purported to
- 7 assist patrons in physical exercise, in weight control, or in
- 8 figure development, including, but not limited to, a fitness
- 9 center, studio, salon, or club. A health club does not include a
- 10 hotel or motel that provides physical fitness equipment or
- 11 activities, an organization solely offering training or

**HB4141, As Passed House, November 28, 2001**

HB 4141 as amended November 28, 2001

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1 facilities for an individual sport, or a weight reduction  
2 center.

3       Sec. 2. The owner or operator of a health club shall do  
4 both of the following:

5       (a) At all times during which the health club is open and  
6 its facilities and services are available for use, have at least  
7 1 employee present on the premises of the health club who has  
8 satisfactorily completed a course or courses in basic first aid  
9 and basic cardiopulmonary resuscitation taught by the American  
10 red cross, the American heart association, or an equivalent  
11 organization approved by the department.

12       (b) Develop and implement an emergency plan to address emer-  
13 gency services, when needed, during operational hours at the  
14 health club.

15       Sec. 3. A person who violates this act is responsible for a  
16 state civil infraction and shall be ordered to pay a civil fine  
17 as follows:

18       (a) Not more than \$250.00 for a first offense.

19       (b) Not more than \$500.00 for a second offense.

20       (c) Not more than \$1,000.00 for a third or subsequent  
21 offense.

[Enacting section 1. This act takes effect May 1, 2002.]