

**SUBSTITUTE FOR
SENATE BILL NO. 50**

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

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

3 Sec. 2. Beginning 1 year after the effective date of this
4 act, the owner or operator of a health club shall do all of the
5 following:

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

13 (b) At all times during which the health club is open and its
14 facilities and services are available for use, have available on
15 the premises of the health club an automated external
16 defibrillator.

17 (c) Develop and implement an emergency plan to address
18 emergency services, when needed, during operational hours at the
19 health club.

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

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

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

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