

# SENATE BILL No. 310

March 16, 2005, Introduced by Senators JACOBS, BERNERO, BARCIA, HAMMERSTROM, BIRKHOLZ and GOSCHKA and referred to the Committee on Health Policy.

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 its  
6 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

1 activities, an organization solely offering training or facilities  
2 for an individual sport, or a weight reduction center.

3 Sec. 2. Beginning 1 year after the effective date of this act,  
4 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 and  
10 basic cardiopulmonary resuscitation taught by the American red  
11 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 as  
22 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 offense.