

## **HEALTH CLUBS: REQUIRE CPR TRAINING, AED, AND EMERGENCY PLAN**

Mitchell Bean, Director  
Phone: (517) 373-8080  
<http://www.house.mi.gov/hfa>

### **Senate Bill 310**

**Sponsor: Sen. Gilda Z. Jacobs**

**House Committee: Health Policy**

**Senate Committee: Health Policy**

**Complete to 1-23-06**

### **A SUMMARY OF SENATE BILL 310 AS PASSED BY THE SENATE 5-18-05**

The bill would create a new act to require that a health club have on the premises an automated external defibrillator (AED), employ at least one person who was certified in first aid and CPR, and develop and implement an emergency plan, or face civil penalties. However, the bill would specify that a person, including, a health club owner, operator, or employee, would not have a duty to render an emergency service to an individual using an AED that a health club had on the premises. Furthermore, the bill would not limit the applicability of Public Act 17 of 1963, which limits the civil liability of certain persons rendering emergency services.

The bill would define “health club” as “an establishment that provides, as its primary purpose, services or facilities that are purported to assist patrons in physical exercise, in weight control, or in figure development, including, but not limited to, a fitness center, studio, salon, or club.” A health club would not include a hotel or motel providing physical fitness equipment or activities, an organization solely offering training or facilities for an individual sport, or an establishment that provided as its primary purpose assistance in weight reduction.

Beginning one year after the bill’s effective date, a health club’s owner or operator would have to do all of the following:

- Employ at least one individual who had satisfactorily completed a course or courses in basic first aid, basic CPR, and AED use taught by the American Red Cross, the American Health Association, or an equivalent organization approved by the Department of Community Health.
- Have an AED available on the premises and deployed in a manner that provides obvious and ready accessibility to staff, members, and guests.
- Develop and implement an emergency plan to address emergency services, when needed, during operational hours at the health club.

A violation of the bill would be a state civil infraction punishable by a maximum civil fine of \$250 for a first offense, \$500 for a second offense, or \$1,000 for a third or subsequent offense.

**FISCAL IMPACT:**

Depending on how the bill affected the numbers of people held responsible for state civil infractions and the payment of associated fines and costs, the bill could increase revenues for the state and local units of government. Each state civil infraction is subject to court-ordered "minimum state costs" of \$10, which is deposited into the Justice System Fund and supports various costs under the Judiciary and Department of State Police Budgets. Civil fines imposed and collected for state civil infractions go to local libraries.

Legislative Analyst: Susan Stutzky  
Fiscal Analyst: Marilyn Peterson

---

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.