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# SENATE BILL No. 134

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## DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 16-19-3-29; IC 24-4-15; IC 34-30-2-96.3.

**Synopsis:** Automatic external defibrillators in health clubs. Requires the owner or operator of a health club to: (1) have an automatic external defibrillator available on the health club premises; (2) employ at least one individual who is trained to use the defibrillator; (3) have a trained employee on the health club premises during business hours; and (4) ensure compliance with other defibrillator requirements. Provides that: (1) a person who violates the health club defibrillator requirements commits a Class C infraction; and (2) the state department of health may adopt rules to implement the requirements. Provides certain immunity from liability for acts or omissions involving defibrillators in health clubs.

**Effective:** July 1, 2007.

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**Miller**

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January 8, 2007, read first time and referred to Committee on Health and Provider Services.

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First Regular Session 115th General Assembly (2007)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2006 Regular Session of the General Assembly.

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## SENATE BILL No. 134



A BILL FOR AN ACT to amend the Indiana Code concerning health.

*Be it enacted by the General Assembly of the State of Indiana:*

1 SECTION 1. IC 16-19-3-29 IS ADDED TO THE INDIANA CODE  
2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY  
3 1, 2007]: **Sec. 29. The state department may adopt rules under**  
4 **IC 4-22-2 to implement the requirements set forth in IC 24-4-15**  
5 **concerning automatic external defibrillators in health clubs.**

6 SECTION 2. IC 24-4-15 IS ADDED TO THE INDIANA CODE AS  
7 A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY  
8 1, 2007]:

9 **Chapter 15. Automatic External Defibrillators in Health Clubs**

10 **Sec. 1. As used in this chapter, "defibrillator" means an**  
11 **automatic external defibrillator.**

12 **Sec. 2. (a) As used in this chapter, "health club" means an**  
13 **establishment at which:**

14 **(1) an individual, a corporation, a limited liability company,**  
15 **a partnership, an association, a firm, an educational**  
16 **institution, or any other business enterprise offers:**

17 **(A) instruction, training, or assistance in physical fitness;**



1                   **or**  
2                   **(B) facilities for the:**  
3                   **(i) preservation;**  
4                   **(ii) maintenance;**  
5                   **(iii) encouragement; or**  
6                   **(iv) development;**  
7                   **of physical fitness or well-being; and**  
8                   **(2) at least fifty (50) individuals use the services or facilities**  
9                   **described in subdivisions (1)(A) and (1)(B).**  
10                  **(b) The term includes the following:**  
11                  **(1) Health spas and studios.**  
12                  **(2) Sports centers.**  
13                  **(3) Weight control studios.**  
14                  **(4) Gymnasiums and workout centers in schools, colleges,**  
15                  **universities, hospitals, hotels, and motels.**  
16                  **Sec. 3. As used in this chapter, "person" means an individual, a**  
17                  **corporation, a limited liability company, a partnership, an**  
18                  **association, a firm, or an educational institution.**  
19                  **Sec. 4. As used in this chapter, "state department" refers to the**  
20                  **state department of health.**  
21                  **Sec. 5. An owner or operator of a health club shall do the**  
22                  **following:**  
23                  **(1) Ensure that a defibrillator is located on the health club**  
24                  **premises and is easily accessible to the health club staff,**  
25                  **members, and guests.**  
26                  **(2) Employ at least one (1) individual who has satisfactorily**  
27                  **completed a course approved by the state department in basic**  
28                  **first aid, cardiopulmonary resuscitation, and defibrillator use.**  
29                  **(3) Ensure that at least one (1) individual described under**  
30                  **subdivision (2) is on the health club premises during the**  
31                  **health club's business hours.**  
32                  **(4) Ensure compliance with the requirements set forth in**  
33                  **IC 16-31-6.5.**  
34                  **Sec. 6. A person is immune from civil liability for acts or**  
35                  **omissions involving a defibrillator located on the premises of a**  
36                  **health club under this chapter as provided under IC 34-30-12-1.**  
37                  **Sec. 7. A person who violates this chapter commits a Class C**  
38                  **infraction.**  
39                  **Sec. 8. The state department may adopt rules under IC 4-22-2**  
40                  **to implement this chapter.**  
41                  **SECTION 3. IC 34-30-2-96.3 IS ADDED TO THE INDIANA**  
42                  **CODE AS A NEW SECTION TO READ AS FOLLOWS**

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1 [EFFECTIVE JULY 1, 2007]: **Sec. 96.3. IC 24-4-15-6 (Concerning**  
2 **acts or omissions in gratuitously rendering emergency care**  
3 **involving the use of automatic external defibrillators in health**  
4 **clubs).**

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