

# SENATE MOTION

**MADAM PRESIDENT:**

**I move** that Engrossed House Bill 1172 be amended to read as follows:

- 1           Page 22, between lines 18 and 19, begin a new paragraph and insert:
- 2           "SECTION 14. IC 24-4-15-5, AS ADDED BY P.L.129-2007,
- 3           SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
- 4           JULY 1, 2008]: Sec. 5. An owner or operator of a health club shall do
- 5           the following:
- 6           (1) Ensure that a defibrillator is:
- 7                 (A) located on the health club premises and ~~is~~ easily accessible
- 8                 to the health club staff, members, and guests; **or**
- 9                 (B) **if:**
- 10                 **(i) the health club is located on the premises of a business**
- 11                 **of which the health club is a part; and**
- 12                 **(ii) the business has an emergency response team;**
- 13                 **located on the premises of the business and easily**
- 14                 **accessible to the emergency response team.**
- 15           (2) Employ at least one (1) individual who:
- 16                 (A) has satisfactorily completed a course ~~approved by the~~
- 17                 ~~American Red Cross or the American Heart Association~~
- 18                 **consistent with the most current national guidelines for;**
- 19                 and
- 20                 (B) is currently certified in;
- 21           cardiopulmonary resuscitation and defibrillator use.
- 22           (3) Reasonably ensure that at least one (1) individual described
- 23           ~~under in~~ subdivision (2) is on the health club premises when staff
- 24           is present at the health club during the health club's business
- 25           hours.
- 26           (4) A health club that is not staffed must have the following on
- 27           the premises:
- 28                 (A) A telephone for 911 telephone call access.
- 29                 (B) A sign in plain view containing an advisory warning that
- 30                 indicates that members of the unstaffed health ~~spa~~ **club** should
- 31                 be aware that working out alone may pose risks to ~~the~~ **a** health

1            ~~spa~~ **club** member's health and safety.  
2            (C) A sign in plain view providing instruction in the use of the  
3            ~~automated external~~ defibrillator and in cardiopulmonary  
4            resuscitation.  
5            (5) Ensure compliance with the requirements set forth in  
6            IC 16-31-6.5.  
7            (6) Post a sign at each entrance to the health club that indicates  
8            the location of each defibrillator.  
9            SECTION 15. IC 24-4-15-7, AS ADDED BY P.L.129-2007,  
10          SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
11          JULY 1, 2008]: Sec. 7. ~~(a)~~ The:  
12          (1) state department and the division of fire and building safety  
13          may inspect a health club at any time:  
14          ~~(1)~~ (A) according to rules adopted by the state department; or  
15          ~~(2)~~ (B) in response to a filed complaint alleging  
16          noncompliance with this chapter; **and**  
17          (2) **fire department that serves the area in which a health club**  
18          **is located shall inspect the health club for compliance with**  
19          **this chapter if the health club is inspected as part of an**  
20          **inspection program under IC 36-8-17-8.**  
21          ~~(b) A fire department may inspect a health club for compliance with~~  
22          ~~this chapter as part of an inspection program under IC 36-8-17-8."~~  
23          Renumber all SECTIONS consecutively.  
                (Reference is to EHB 1172 as printed February 22, 2008.)

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Senator MILLER