



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB1279

Introduced 2/20/2007, by Rep. Daniel J. Burke

SYNOPSIS AS INTRODUCED:

210 ILCS 74/5.25
210 ILCS 74/15
210 ILCS 74/50

Amends the Physical Fitness Facility Medical Emergency Preparedness Act. Requires that outdoor (as well as indoor) physical fitness facilities have at least one automated external defibrillator (AED) on the premises. Provides that every privately owned or operated outdoor physical fitness facility must be in compliance on or before July 1, 2009. Provides that a public entity owning or operating 4 or fewer outdoor physical fitness facilities must have at least one such facility in compliance on or before July 1, 2009; its second facility in compliance by July 1, 2010; its third facility in compliance by July 1, 2011; and its fourth facility in compliance by July 1, 2012. Provides that a public entity owning or operating more than 4 outdoor physical fitness facilities must have 25% of those facilities in compliance by July 1, 2009; 50% of those facilities in compliance by July 1, 2010; 75% of those facilities in compliance by July 1, 2011; and 100% of those facilities in compliance by July 1, 2012.

LRB095 09129 DRJ 29322 b

FISCAL NOTE ACT
MAY APPLY

STATE MANDATES
ACT MAY REQUIRE
REIMBURSEMENT

1 AN ACT concerning regulation.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Physical Fitness Facility Medical Emergency
5 Preparedness Act is amended by changing Sections 5.25, 15, and
6 50 as follows:

7 (210 ILCS 74/5.25)

8 Sec. 5.25. Physical fitness facility.

9 (a) "Physical fitness facility" means the following:

10 (1) Any of the following indoor or outdoor facilities
11 that is (i) owned or operated by a park district,
12 municipality, or other unit of local government, including
13 a home rule unit, or by a public or private elementary or
14 secondary school, college, university, or technical or
15 trade school and (ii) supervised by one or more persons,
16 other than maintenance or security personnel, employed by
17 the unit of local government, school, college, or
18 university for the purpose of directly supervising the
19 physical fitness activities taking place at any of these
20 ~~indoor~~ facilities: a swimming pool; stadium; athletic
21 field; football stadium; soccer field; baseball diamond;
22 track and field facility; tennis court; basketball court;
23 or volleyball court; or similar facility as defined by

1 Department rule; or such facilities located adjacent
2 thereto.

3 (2) Except as provided in subsection (b), any other
4 indoor or outdoor establishment, whether public or
5 private, that provides services or facilities focusing
6 primarily on cardiovascular exertion or gaming as defined
7 by Department rule.

8 (b) "Physical fitness facility" does not include a facility
9 serving less than a total of 100 individuals, as further
10 defined by Department rule. In addition, the term does not
11 include a facility located in a hospital or in a hotel or
12 motel, ~~or any outdoor facility~~. The term also does not include
13 any facility that does not employ any persons to provide
14 instruction, training, or assistance for persons using the
15 facility.

16 (Source: P.A. 93-910, eff. 1-1-05.)

17 (210 ILCS 74/15)

18 Sec. 15. Automated external defibrillator required.

19 (a) By the dates specified in Section 50, every physical
20 fitness facility must have at least one AED on the facility
21 premises. The Department shall adopt rules to ensure
22 coordination with local emergency medical services systems
23 regarding the placement and use of AEDs in physical fitness
24 facilities. The Department may adopt rules requiring a facility
25 to have more than one AED on the premises, based on factors

1 that include the following:

2 (1) The size of the area or the number of buildings or
3 floors occupied by the facility.

4 (2) The number of persons using the facility, excluding
5 spectators.

6 (b) A physical fitness facility must ensure that there is a
7 trained AED user on staff.

8 (b-5) In the case of an outdoor physical fitness facility,
9 the AED must be housed in a building, if any, that is closest
10 to the outdoor facility where an event or activity is being
11 conducted. If there is no such building, the person responsible
12 for supervising the activity at the outdoor physical fitness
13 facility shall ensure that an AED is available at the outdoor
14 facility during the time that the event or activity at the
15 facility is being conducted.

16 (c) Every physical fitness facility must ensure that every
17 AED on the facility's premises is properly tested and
18 maintained in accordance with rules adopted by the Department.

19 (Source: P.A. 93-910, eff. 1-1-05.)

20 (210 ILCS 74/50)

21 Sec. 50. Compliance dates; private and public indoor
22 physical fitness facilities.

23 (a) Privately owned indoor physical fitness facilities.
24 Every privately owned or operated indoor physical fitness
25 facility must be in compliance with this Act on or before July

1 1, 2006.

2 (a-5) Privately owned outdoor physical fitness facilities.
3 Every privately owned or operated outdoor physical fitness
4 facility must be in compliance with this Act on or before July
5 1, 2009.

6 (b) Publicly owned indoor physical fitness facilities. A
7 public entity owning or operating 4 or fewer indoor physical
8 fitness facilities must have at least one such facility in
9 compliance with this Act on or before July 1, 2006; its second
10 facility in compliance by July 1, 2007; its third facility in
11 compliance by July 1, 2008; and its fourth facility in
12 compliance by July 1, 2009.

13 A public entity owning or operating more than 4 indoor
14 physical fitness facilities must have 25% of those facilities
15 in compliance by July 1, 2006; 50% of those facilities in
16 compliance by July 1, 2007; 75% of those facilities in
17 compliance by July 1, 2008; and 100% of those facilities in
18 compliance by July 1, 2009.

19 (b-5) Publicly owned outdoor physical fitness facilities.
20 A public entity owning or operating 4 or fewer outdoor physical
21 fitness facilities must have at least one such facility in
22 compliance with this Act on or before July 1, 2009; its second
23 facility in compliance by July 1, 2010; its third facility in
24 compliance by July 1, 2011; and its fourth facility in
25 compliance by July 1, 2012.

26 A public entity owning or operating more than 4 outdoor

1 physical fitness facilities must have 25% of those facilities
2 in compliance by July 1, 2009; 50% of those facilities in
3 compliance by July 1, 2010; 75% of those facilities in
4 compliance by July 1, 2011; and 100% of those facilities in
5 compliance by July 1, 2012.

6 (Source: P.A. 93-910, eff. 1-1-05.)