

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 and 15 as
6 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 (1.5) Any of the following outdoor facilities that is
4 (i) owned by a municipality, township, or other unit of
5 local government, including a home rule unit, or by a
6 public or private elementary or secondary school, college,
7 university, or technical or trade school and (ii)
8 supervised by one or more persons, other than maintenance
9 or security personnel, employed by the unit of local
10 government, school, college, or university for the purpose
11 of directly supervising the physical fitness activities
12 taking place at any of these facilities: a swimming pool;
13 athletic field; football stadium; soccer field; baseball
14 diamond; track and field facility; tennis court;
15 basketball court; or volleyball court; or similar facility
16 as defined by Department rule.

17 The term does not include any facility during any
18 activity or program organized by a private or
19 not-for-profit organization and organized and supervised
20 by a person or persons other than the employees of the unit
21 of local government, school, college, or university.

22 (2) Except as provided in subsection (b), any other
23 indoor or outdoor establishment, whether public or
24 private, that provides services or facilities focusing
25 ~~primarily~~ on cardiovascular exertion or gaming as defined
26 by Department rule.

1 (b) "Physical fitness facility" does not include a facility
2 serving less than a total of 100 individuals. For purposes of
3 this Act, "individuals" includes only those persons actively
4 engaged in physical exercise that uses large muscle groups and
5 that substantially increases the heart rate. , ~~as further~~
6 ~~defined by Department rule.~~ In addition, the term does not
7 include (i) a facility located in a hospital or in a hotel or
8 motel, (ii) any outdoor facility owned or operated by a park
9 district organized under the Park District Code, the Chicago
10 Park District Act, or the Metro-East Park and Recreation
11 District Act, or (iii) any facility owned or operated by a
12 forest preserve district organized under the Downstate Forest
13 Preserve District Act or the Cook County Forest Preserve
14 District Act or a conservation district organized under the
15 Conservation District Act. The term also does not include any
16 facility that does not employ any persons to provide
17 instruction, training, or assistance for persons using the
18 facility.

19 (Source: P.A. 95-712, eff. 1-1-09.)

20 (210 ILCS 74/15)

21 Sec. 15. Automated external defibrillator required.

22 (a) By the dates specified in Section 50, every physical
23 fitness facility must have at least one AED on the facility
24 premises. The Department shall adopt rules to ensure
25 coordination with local emergency medical services systems

1 regarding the placement and use of AEDs in physical fitness
2 facilities. The Department may adopt rules requiring a facility
3 to have more than one AED on the premises, based on factors
4 that include the following:

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

7 (2) The number of persons using the facility, excluding
8 spectators.

9 (b) A physical fitness facility must ensure that there is a
10 trained AED user on staff during staffed business hours. For
11 purposes of this Act, "trained AED user" has the meaning
12 ascribed to that term in Section 10 of the Automated External
13 Defibrillator Act.

14 (b-5) The Department shall adopt rules that encourage any
15 non-employee coach, non-employee instructor, or other
16 similarly situated non-employee anticipated rescuer who uses a
17 physical fitness facility in conjunction with the supervision
18 of physical fitness activities to complete a course of
19 instruction that would qualify such a person as a trained AED
20 user, as defined in Section 10 of the Automated External
21 Defibrillator Act.

22 (b-10) In the case of an outdoor physical fitness facility,
23 the AED must be housed in a building, if any, that is within
24 300 feet of the outdoor facility where an event or activity is
25 being conducted. If there is such a building within the
26 required distance, the building must provide unimpeded and open

1 access to the housed AED, and the building's entrances shall
2 further provide marked directions to the housed AED. If there
3 is no such building, the person responsible for supervising the
4 activity at the outdoor physical fitness facility shall ensure
5 that an AED is available at the outdoor facility during the
6 time that the event or activity at the facility is being
7 conducted.

8 (b-15) Facilities described in paragraph (1.5) of Section
9 5.25 must have an AED on site as well as a trained AED user
10 available only during activities or events sponsored and
11 conducted or supervised by a person or persons employed by the
12 unit of local government, school, college, or university.

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

16 (Source: P.A. 95-712, eff. 1-1-09; 96-748, eff. 1-1-10.)

17 Section 99. Effective date. This Act takes effect upon
18 becoming law.