



Executive Committee

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09600SB1371ham001

LRB096 10807 DRJ 29901 a

1 AMENDMENT TO SENATE BILL 1371

2 AMENDMENT NO. _____. Amend Senate Bill 1371 by replacing
3 everything after the enacting clause with the following:

4 "Section 5. The Physical Fitness Facility Medical
5 Emergency Preparedness Act is amended by changing Sections 5.25
6 and 15 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

1 the unit of local government, school, college, or
2 university for the purpose of directly supervising the
3 physical fitness activities taking place at any of these
4 indoor facilities: a swimming pool; stadium; athletic
5 field; football stadium; soccer field; baseball diamond;
6 track and field facility; tennis court; basketball court;
7 or volleyball court; or similar facility as defined by
8 Department rule; ~~or such facilities located adjacent~~
9 ~~thereto.~~

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

24 The term does not include any facility during any
25 activity or program organized by a private or
26 not-for-profit organization and organized and supervised

1 by a person or persons other than the employees of the unit
2 of local government, school, college, or university.

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

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

1 (210 ILCS 74/15)

2 Sec. 15. Automated external defibrillator required.

3 (a) By the dates specified in Section 50, every physical
4 fitness facility must have at least one AED on the facility
5 premises. The Department shall adopt rules to ensure
6 coordination with local emergency medical services systems
7 regarding the placement and use of AEDs in physical fitness
8 facilities. The Department may adopt rules requiring a facility
9 to have more than one AED on the premises, based on factors
10 that include the following:

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

13 (2) The number of persons using the facility, excluding
14 spectators.

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

20 (b-5) The Department shall adopt rules that encourage any
21 non-employee coach, non-employee instructor, or other
22 similarly situated non-employee anticipated rescuer who uses a
23 physical fitness facility in conjunction with the supervision
24 of physical fitness activities to complete a course of
25 instruction that would qualify such a person as a trained AED

1 user, as defined in Section 10 of the Automated External
2 Defibrillator Act.

3 (b-10) In the case of an outdoor physical fitness facility,
4 the AED must be housed in a building, if any, that is within
5 300 feet of the outdoor facility where an event or activity is
6 being conducted. If there is such a building within the
7 required distance, the building must provide unimpeded and open
8 access to the housed AED, and the building's entrances shall
9 further provide marked directions to the housed AED. If there
10 is no such building, the person responsible for supervising the
11 activity at the outdoor physical fitness facility shall ensure
12 that an AED is available at the outdoor facility during the
13 time that the event or activity at the facility is being
14 conducted.

15 (b-15) Facilities described in paragraph (1.5) of Section
16 5.25 must have an AED on site as well as a trained AED user
17 available only during activities or events sponsored and
18 conducted or supervised by a person or persons employed by the
19 unit of local government, school, college, or university.

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

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

24 Section 99. Effective date. This Act takes effect upon
25 becoming law."