



96TH GENERAL ASSEMBLY

State of Illinois

2009 and 2010

HB4182

Introduced 2/27/2009, by Rep. Arthur L. Turner

SYNOPSIS AS INTRODUCED:

210 ILCS 74/5.25

Amends the Physical Fitness Facility Medical Emergency Preparedness Act. Provides that "physical fitness facility" does not include a facility owned or operated by an entity, other than a college or university, that is a not-for-profit organization or is incorporated under the General Not For Profit Corporation Act of 1986.

LRB096 09159 DRJ 19308 b

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 Section 5.25 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 facilities: a swimming pool; stadium; athletic field;
21 football stadium; soccer field; baseball diamond; track
22 and field facility; tennis court; basketball court; or
23 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 (i) a facility located in a hospital or in a hotel or
12 motel, (ii) any outdoor facility owned or operated by a park
13 district organized under the Park District Code, the Chicago
14 Park District Act, or the Metro-East Park and Recreation
15 District Act, ~~or~~ (iii) any facility owned or operated by a
16 forest preserve district organized under the Downstate Forest
17 Preserve District Act or the Cook County Forest Preserve
18 District Act or a conservation district organized under the
19 Conservation District Act, or (iv) a facility owned or operated
20 by an entity, other than a college or university, that is a
21 not-for-profit organization or is incorporated under the
22 General Not For Profit Corporation Act of 1986. The term also
23 does not include any facility that does not employ any persons
24 to provide instruction, training, or assistance for persons
25 using the facility.
26 (Source: P.A. 95-712, eff. 1-1-09.)