AN ACT

Amending the act of December 21, 1989 (P.L.672, No.87), entitled "An act providing for the regulation of health club contracts; and providing for further duties of the Bureau of Consumer Protection, the Attorney General and district attorneys," providing for emergency COVID-19 provisions.

The General Assembly of the Commonwealth of Pennsylvania hereby enacts as follows:

Section 1. The act of December 21, 1989 (P.L.672, No.87), known as the Health Club Act, is amended by adding a section to read:


(a) Waivers.--

(1) The Secretary of Community and Economic Development shall immediately issue a waiver to the Governor's 20200319 TWW COVID-19 Business Closure Order for all health clubs, gyms and fitness centers operating in a county that the Governor, or his agent, has designated and permitted to reopen in "yellow" phase.

(2) A waiver shall only be issued to a health club, gym...
and fitness center as follows:

(i) The facility is limited to 50% of maximum occupancy until the county is moved into the "green" phase.

(ii) The facility has a documented plan for reopening as defined in this section.

(iii) The facility has the ability to adhere to all mitigation measures defined by the Centers for Disease Control and Prevention, the Occupational Health and Safety Administration and the Department of Health to protect employees, club members and other patrons from the spread of COVID-19.

(iv) The facility has closed any pool, sauna and steam room until the county is moved into the "green" phase.

(b) Documented plan for reopening.--A health club, gym and fitness center shall produce a documented plan for reopening and mitigating the spread of COVID-19 upon request to the Department of Health. The plan, at a minimum, shall include:

(1) Health and safety guidelines for employees, club members and other patrons.

(2) Necessary operational changes to adhere to mitigation guidelines.

(3) A layout plan depicting any section closed off from use as well as equipment and machines marked unavailable to encourage physical distancing.

(4) A regular sanitation plan.

(5) Health and wellness checks on employees.

(6) An educational plan to be disseminated to employees, club members and other patrons about proper mitigation
measures.

(c) Definitions.--As used in this section, the following words and phrases shall have the meanings given to them in this subsection unless the context clearly indicates otherwise:

"COVID-19." The coronavirus disease 2019, an infectious disease caused by severe acute respiratory syndrome coronavirus 2 that was first identified during December 2019 in Wuhan, China.

Section 2. This act shall take effect immediately.