

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 453 Session of 2021

INTRODUCED BY ECKER, KAUFFMAN, RYAN, MIZGORSKI, LEWIS DELROSSO, HAMM, ROTHMAN, ZIMMERMAN, GROVE, JAMES, WARNER, GAYDOS, MILLARD, HERSHEY, MOUL, GLEIM, SANKEY, ROWE AND ARMANINI, FEBRUARY 9, 2021

AS REPORTED FROM COMMITTEE ON STATE GOVERNMENT, HOUSE OF REPRESENTATIVES, AS AMENDED, MARCH 17, 2021

AN ACT

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

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

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

11 Section 14.1. Emergency COVID-19 provisions.

12 (a) Waivers.--

13 (1) The Secretary of Community and Economic Development
14 shall immediately issue a waiver to the Governor's 20200319
15 TWW COVID-19 Business Closure Order for all health clubs,
16 gyms and fitness centers.

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

1 (i) The facility is limited to 50% 75% of maximum
2 occupancy.

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

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

11 (iv) The facility has closed any pool, sauna and
12 steam room.

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

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

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

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

24 (4) A regular sanitation plan.

25 (5) Health and wellness checks on employees.

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

29 (c) Definitions.--As used in this section, the following
30 words and phrases shall have the meanings given to them in this

1 subsection unless the context clearly indicates otherwise:

2 "COVID-19." The coronavirus disease 2019, an infectious
3 disease caused by severe acute respiratory syndrome coronavirus
4 2 that was first identified during December 2019 in Wuhan,
5 China.

6 Section 2. This act shall take effect immediately.