
THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 713 Session of
2023

INTRODUCED BY HAYWOOD, REGAN, FONTANA, BREWSTER, PENNYCUICK,
SCHWANK, BARTOLOTTA, COMITTA, TARTAGLIONE, COSTA,
CAPPELLETTI, ROBINSON, STREET AND DILLON, MAY 17, 2023

REFERRED TO CONSUMER PROTECTION AND PROFESSIONAL LICENSURE,
MAY 17, 2023

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," further providing for employee available to
6 administer CPR; and providing for automated external
7 defibrillator.

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

10 Section 1. Section 14(c.1)(1)(ii) and (2)(iii) of the act of
11 December 21, 1989 (P.L.672, No.87), known as the Health Club
12 Act, are amended to read:

13 Section 14. Employee available to administer CPR.

14 * * *

15 (c.1) Exception.--A health club that offers services during
16 nonstaffed hours shall not be subject to the requirements of
17 subsections (a) and (c) if the health club complies with all of
18 the following:

19 (1) Every health club offering health club services

1 during nonstaffed hours prior to the effective date of this
2 subsection shall comply with all of the following:

3 * * *

4 (ii) The area specified under subparagraph (i) must
5 be equipped with all of the following:

6 [(A) At least one automated external
7 defibrillator.]

8 (B) Appropriate signage.

9 (C) A panic button.

10 (D) A 911 telephone.

11 (E) At least four personal security devices.

12 * * *

13 (2) Every health club not providing health club services
14 during nonstaffed hours prior to the effective date of this
15 subsection that will begin to provide health club services
16 during nonstaffed hours after the effective date of this
17 subsection must comply with the following:

18 * * *

19 (iii) Obtain a signed waiver from each existing
20 health club member that:

21 (A) Explains to the buyer that the health club
22 may have hours during which it is not staffed.

23 (B) Explains to the buyer that the health club
24 is required to have certain safety equipment,
25 including the location and use of the equipment
26 required under paragraph (1)(ii) and section 14.1.

27 (C) Is signed by the buyer acknowledging that
28 the buyer received all of the instructions of this
29 subsection regarding the use of the health club
30 during nonstaffed hours, including the location and

1 use of the safety equipment.

2 (D) Provides instructions to the buyer regarding
3 the use of the health club during nonstaffed hours of
4 operation, including the location and use of all
5 equipment required under paragraph (1)(ii) and
6 section 14.1.

7 * * *

8 Section 2. The act is amended by adding a section to read:
9 Section 14.1. Automated external defibrillator.

10 (a) Requirement.--Every health club shall have on the health
11 club's premises at least one automated external defibrillator
12 and appropriate signage.

13 (b) Instructions and maintenance.--

14 (1) A health club shall ensure that all employees are
15 instructed in the use of an automated external defibrillator.

16 (2) During the orientation of each new buyer, or at the
17 time of the renewal of an existing health club membership,
18 the health club shall provide instructions regarding the use
19 of an automated external defibrillator.

20 (3) A health club shall ensure that every automated
21 external defibrillator on the health club's premises is
22 properly tested and maintained in accordance with the
23 manufacturer's operational guidelines.

24 (c) Liability.--

25 (1) Absent a showing of gross negligence or willful or
26 wanton misconduct, no cause of action against a health club
27 or its employees may arise in connection with the use or
28 nonuse of an automated external defibrillator.

29 (2) A person who, in good faith, attempts to render
30 emergency care, including CPR or defibrillation, and does so

1 without compensation shall not be liable for acts or
2 omissions, other than gross negligence or willful or wanton
3 misconduct, resulting from the attempt to render emergency
4 care.

5 (d) Definitions.--As used in this section, the following
6 words and phrases shall have the meanings given to them in this
7 subsection:

8 "Appropriate signage." All of the following:

9 (1) A sign posted in plain view by each automated
10 external defibrillator with instructions for its use.

11 (2) A sign posted in plain view indicating that working
12 out alone during nonstaffed hours may pose health and safety
13 risks.

14 "Automated external defibrillator." A portable device that
15 uses electric shock to restore a stable heart rhythm to an
16 individual in cardiac arrest.

17 "CPR." Cardiopulmonary resuscitation, an approved lifesaving
18 technique which involves stimulation of the lungs and heart of a
19 victim of cardiac or pulmonary distress.

20 "Nonstaffed hours." Any period during which a health club
21 provides health club services without an employee on the
22 premises.

23 Section 3. This act shall take effect in 180 days.