

HOUSE BILL No. 4515

April 20, 1999, Introduced by Reps. Switalski, Jacobs, Schermesser, Woodward, Gielegem, Dennis, Scott, Bovin, Hardman, DeHart, Garcia, Rivet, Bogardus and Brater and referred to the Committee on Regulatory Reform.

A bill to regulate certain fitness center contracts.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 1. As used in this act:

2 (a) "Fitness center" means a facility operated for profit
3 that provides individuals with on-site programs or equipment for
4 aerobic or anaerobic training and enhancement of physical
5 strength. Fitness center does not include any of the following:

6 (i) A public or private secondary school, trade school,
7 vocational school, community college, or university.

8 (ii) A health or fitness facility or spa located in a resi-
9 dential complex and used or intended to be used only by residents
10 of that residential complex, or by nonpaying guests of those
11 residents.

12 (iii) A health or fitness facility or spa located in a hotel
13 and used or intended to be used only by guests of that hotel.

1 (iv) A facility exclusively used for the practice of
2 physical therapy as that term is defined in section 17801 of the
3 public health code, 1978 PA 368, MCL 333.17801.

4 (b) "Fitness center consumer contract" means a contract
5 between a fitness center and a consumer for the consumer's use of
6 fitness center facilities.

7 (c) "Visit" means a consumer's use of fitness center facili-
8 ties on a single calendar day.

9 Sec. 2. The owner or operator of a fitness center shall not
10 require an individual to enter a fitness center consumer contract
11 unless the first page of the contract conspicuously contains the
12 following provision:

13 "An individual is entitled to revoke this contract within 30
14 days after signing the contract or within 3 visits after signing
15 the contract, whichever is earlier."

16 Sec. 3. A fitness center consumer contract that does not
17 comply with this act is void.