

**ESB 5592** - H COMM AMD

By Committee on Health Care & Wellness

**NOT CONSIDERED 01/02/2024**

1 Strike everything after the enacting clause and insert the  
2 following:

3 "NEW SECTION. **Sec. 1.** A new section is added to chapter 70.54  
4 RCW to read as follows:

5 (1) The owner of a fitness center shall acquire and maintain at  
6 least one semiautomatic external defibrillator on premises.

7 (2) The fitness center must comply with the requirements of RCW  
8 70.54.310, including instruction of personnel on the use of the  
9 defibrillator, maintenance of the defibrillator, and notification of  
10 the local emergency medical services organization about the location  
11 of the defibrillator.

12 (3) An employee of a fitness center who has completed the  
13 instruction required under RCW 70.54.310 may render emergency care or  
14 treatment using a semiautomatic external defibrillator on the fitness  
15 center premises.

16 (4) A person who uses a semiautomatic external defibrillator at  
17 the scene of an emergency is immune from civil liability pursuant to  
18 RCW 70.54.310.

19 (5) Facilities operated by bona fide nonprofit organizations  
20 which have been granted tax-exempt status by the internal revenue  
21 service, the functions of which as fitness centers are only  
22 incidental to their overall functions, are exempt from the  
23 requirements of this section until January 1, 2025.

24 (6) (a) "Fitness center" means any premises used for recreation,  
25 instruction, training, physical exercise, body building, weight loss,  
26 figure development, martial arts, or other similar activity, that  
27 offers access on a membership basis.

28 (b) "Fitness center" does not include: (i) Public common schools,  
29 private schools approved under RCW 28A.195.010, and public or private  
30 institutions of higher education; and (ii) private facilities  
31 operated out of a home that do not offer memberships.

1        NEW SECTION.    **Sec. 2.**    (1) Subject to the availability of amounts  
2 appropriated for this specific purpose, by July 1, 2024, the  
3 department of commerce shall establish a four-year grant program for  
4 the purpose of assisting fitness centers with complying with the  
5 requirements of acquiring and maintaining at least one semiautomatic  
6 external defibrillator, including applicable training requirements,  
7 as referenced in section 1 of this act.

8        (2) The department of commerce may adopt rules to implement the  
9 grant program referenced in this section."

10        Correct the title.

EFFECT: Establishes that facilities operated by bona fide nonprofit organizations, the functions of which as fitness centers are only incidental to their overall functions, are not excluded from the definition of "fitness center," but are exempt from the requirements of the act until January 1, 2025. Establishes that the purposes of the grant program include assisting fitness centers with applicable training requirements.

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