

**ESB 5592** - H COMM AMD

By Committee on Health Care & Wellness

**ADOPTED 02/29/2024**

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

23 (b) "Fitness center" does not include: (i) Public common schools,  
24 private schools approved under RCW 28A.195.010, and public or private  
25 institutions of higher education; (ii) facilities operated by bona  
26 fide nonprofit organizations which have been granted tax-exempt  
27 status by the internal revenue service, the functions of which as  
28 fitness centers are only incidental to their overall functions; and  
29 (iii) private facilities operated out of a home that do not offer  
30 memberships."

31 Correct the title.

EFFECT: Removes the requirement for the Department of Commerce to establish a grant program for the purpose of assisting fitness centers with complying with requirements relating to defibrillators.

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