



Rep. Daniel J. Burke

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09600HB5838ham002

LRB096 19057 KTG 38968 a

1 AMENDMENT TO HOUSE BILL 5838

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 5838, AS AMENDED, by  
3 replacing everything after the enacting clause with the  
4 following:

5 "Section 5. The Physical Fitness Facility Medical  
6 Emergency Preparedness Act is amended by changing Section 15 as  
7 follows:

8 (210 ILCS 74/15)

9 Sec. 15. Automated external defibrillator required.

10 (a) By the dates specified in Section 50, every physical  
11 fitness facility must have at least one AED on the facility  
12 premises. The Department shall adopt rules to ensure  
13 coordination with local emergency medical services systems  
14 regarding the placement and use of AEDs in physical fitness  
15 facilities. The Department may adopt rules requiring a facility  
16 to have more than one AED on the premises, based on factors

1 that include the following:

2 (1) The size of the area or the number of buildings or  
3 floors occupied by the facility.

4 (2) The number of persons using the facility, excluding  
5 spectators.

6 (b) A physical fitness facility must ensure that there is a  
7 trained AED user on staff during staffed business hours. For  
8 purposes of this Act, "trained AED user" has the meaning  
9 ascribed to that term in Section 10 of the Automated External  
10 Defibrillator Act.

11 (b-5) The Department shall adopt rules that encourage any  
12 non-employee coach, non-employee instructor, or other  
13 similarly situated non-employee anticipated rescuer who uses a  
14 physical fitness facility in conjunction with the supervision  
15 of physical fitness activities to complete a course of  
16 instruction that would qualify such a person as a trained AED  
17 user, as defined in Section 10 of the Automated External  
18 Defibrillator Act.

19 (b-10) In the case of an outdoor physical fitness facility,  
20 the AED must be housed in a building, if any, that is within  
21 300 feet of the outdoor facility where an event or activity is  
22 being conducted. If there is such a building within the  
23 required distance, the building must provide unimpeded and open  
24 access to the housed AED, and the building's entrances shall  
25 further provide marked directions to the housed AED. ~~If there  
26 is no such building, the person responsible for supervising the~~

1 ~~activity at the outdoor physical fitness facility shall ensure~~  
2 ~~that an AED is available at the outdoor facility during the~~  
3 ~~time that the event or activity at the facility is being~~  
4 ~~conducted.~~

5 (b-15) Facilities described in paragraph (1.5) of Section  
6 5.25 must have an AED on site as well as a trained AED user  
7 available only during activities or events sponsored and  
8 conducted or supervised by a person or persons employed by the  
9 unit of local government, school, college, or university.

10 (c) Every physical fitness facility must ensure that every  
11 AED on the facility's premises is properly tested and  
12 maintained in accordance with rules adopted by the Department.

13 (Source: P.A. 95-712, eff. 1-1-09; 96-748, eff. 1-1-10; 96-873,  
14 eff. 1-21-10.)".