

ATHLETIC SERVICES PROVIDERS (EXCERPT)
Act 31 of 1990

333.26301 Definitions.

Sec. 1.

As used in this act:

- (a) "Athletic services provider" means a person who owns or operates an educational athletic facility or a recreational athletic facility.
- (b) "Department" means the department of public health.
- (c) "Educational athletic facility" means a facility that is owned or operated by an educational institution and that is used or intended to be used for 1 or more of the following:
 - (i) Maintaining or enhancing the aerobic condition or physical strength of 1 or more individuals.
 - (ii) Athletic competition between 2 or more individuals.
- (d) "Educational institution" means a public or private secondary school, trade school, vocational school, community or junior college, college, or university.
- (e) "Facility" means a building, structure, room, place, or area.
- (f) "Hotel" means that term as defined in section 1 of Act No. 188 of the Public Acts of 1913, being section 427.1 of the Michigan Compiled Laws.
- (g) "Practice of physical therapy" means that term as defined in section 17801 of the public health code, Act No. 368 of the Public Acts of 1978, being section 333.1708 of the Michigan Compiled Laws.
- (h) "Recreational athletic facility" means a gymnasium, fitness center, or health spa that is used or intended to be used to maintain or enhance the physical strength of individuals through the use of free weights or weight lifting machinery. Recreational athletic facility does not include any of the following:
 - (i) A gymnasium, fitness center, or health spa that is located in a residence or residential complex, if that gymnasium, fitness center, or health spa is used or intended to be used only by the residents of that residence or residential complex, or by the nonpaying guests of those residents.
 - (ii) A gymnasium, fitness center, or health spa that is located in a hotel, if that gymnasium, fitness center, or health spa is used or intended to be used only by the guests of that hotel.
 - (iii) A facility exclusively used for engaging in the practice of physical therapy.
- (i) "Serious communicable disease or infection" means that term as defined in section 5101 of the public health code, Act No. 368 of the Public Acts of 1978, being section 333.5101 of the Michigan Compiled Laws.

History: 1990, Act 31, Eff. Mar. 28, 1991

Compiler's Notes: In subdivision (g), the reference to "333.1708" evidently should read "333.17801."