

AN ACT concerning regulation.

**Be it enacted by the People of the State of Illinois,
represented in the General Assembly:**

Section 5. The Swimming Facility Act is amended by changing Sections 3 and 5 and by adding Sections 3.25, 3.26, and 21.2 as follows:

(210 ILCS 125/3) (from Ch. 111 1/2, par. 1203)

Sec. 3. Definitions. As used in this Act, unless the context otherwise requires, the terms specified in Sections 3.01 through 3.26 ~~3.24~~ have the meanings ascribed to them in those Sections.

(Source: P.A. 96-1081, eff. 7-16-10; 97-957, eff. 1-1-13.)

(210 ILCS 125/3.25 new)

Sec. 3.25. Cold spa. "Cold spa" means a basin of cold water that is maintained at a cold temperature. "Cold Spa" does not include the use or installation of portable, manufactured, or commercially available cold spas unless they comply with the provisions of this Act.

(210 ILCS 125/3.26 new)

Sec. 3.26. Cold water. "Cold water" means water that is maintained between 40 degrees Fahrenheit and 60 degrees

Fahrenheit.

(210 ILCS 125/5) (from Ch. 111 1/2, par. 1205)

Sec. 5. Permit for construction or major alteration. No swimming facility shall be constructed or altered in a major manner until plans, specifications, and other information relative to such swimming facility and appurtenant facilities as may be requested on forms provided by the Department are submitted to and reviewed by the Department and found to comply with minimum sanitary and safety requirements and design criteria, and until a permit for the construction or major alteration is issued by the Department. Permits are valid for a period of 2 years ~~one year~~ from date of issue. They may be reissued upon application to the Department and payment of the permit fee.

The fee to be paid by an applicant for a permit for construction, major alteration, or installation of each swimming facility shall be in accordance with Sections 8.1, 8.2, and 8.3 of this Act and shall accompany such application. (Source: P.A. 96-1081, eff. 7-16-10; 97-957, eff. 1-1-13.)

(210 ILCS 125/21.2 new)

Sec. 21.2. Operation of cold spa. It is lawful for a licensee to operate a cold spa in a manner that complies with the provisions of this Act and the rules adopted under this Act, subject to the following conditions:

(1) the licensee must display a sign posted in a conspicuous position that allows the patron to read the sign prior to entering the cold spa warning users about the risks associated with the use of cold spas and recommended guidelines, including, but not limited to:

(A) patrons are to notify staff before using the cold spa;

(B) the operating temperature, which shall not be less than 40 degrees Fahrenheit;

(C) the duration of time for the use of cold spas;

(D) the possible impact on clear thinking and restriction of normal physical activity; and

(E) discomfort or pain that may be experienced during rewarming;

(2) the licensee must prohibit use of the cold spa by children under the age of 14;

(3) the licensee must ensure that there is an employee on staff during business hours who is trained in recognizing the signs and symptoms of hypothermia and who is certified in first aid and basic cardiopulmonary resuscitation;

(4) the licensee must have at least one hypothermic thermometer or electronic thermometer capable of aiding in the diagnosis of hypothermia on the facility premises;

(5) the licensee must include a non-slip deck or mat around the entrance and exit of the cold spa;

(6) the licensee must install a clock or timer in a conspicuous location that can be viewed from anywhere in the cold spa; and

(7) the water must be continuously filtered or sanitized, or the water must be drained and replaced with sanitized water between each use.

The Department may adopt rules to implement the requirements set forth in this Section.