

1 AN ACT concerning regulation.

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

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

7 (210 ILCS 125/3) (from Ch. 111 1/2, par. 1203)

8 Sec. 3. Definitions. As used in this Act, unless the  
9 context otherwise requires, the terms specified in Sections  
10 3.01 through 3.26 ~~3.24~~ have the meanings ascribed to them in  
11 those Sections.

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

13 (210 ILCS 125/3.25 new)

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

19 (210 ILCS 125/3.26 new)

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

1 Fahrenheit.

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

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

15 The fee to be paid by an applicant for a permit for  
16 construction, major alteration, or installation of each  
17 swimming facility shall be in accordance with Sections 8.1,  
18 8.2, and 8.3 of this Act and shall accompany such application.  
19 (Source: P.A. 96-1081, eff. 7-16-10; 97-957, eff. 1-1-13.)

20 (210 ILCS 125/21.2 new)

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

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

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

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

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

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

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

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

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

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

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

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

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

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