



INDIANA

2022 Indiana Code

Title 24. Trade Regulation

Article 5. Consumer Sales

Chapter 7. Health Spa Services

24-5-7-1. Definitions

Universal Citation: [IN Code § 24-5-7-1 \(2022\)](#)

Sec. 1. As used in this chapter:

"Business day" means a day other than Sunday or a legal holiday.

"Buyer" means a purchaser of services under a contract for health spa services.

"Contract" means a contract for health spa services entered into after August 31, 1983. The term includes all financial agreements provided or arranged by the health spa or the health spa's affiliates.

"Health spa" means any business entity, other than an entity that is exempt from taxation under Section 501 of the Internal Revenue Code, offering health spa services to the public.

"Health spa services" means instruction, training, or assistance in physical culture, bodybuilding, exercising, reducing, figure development, or any other health spa service, for the use of the facilities of a health spa, figure salon, weight loss clinic, gymnasium, or other facility used for the delivery of health spa services, or for membership in any group, club, association, or organization formed to deliver health spa services.

"Seller" means a seller of services under a contract for health spa services.

As added by P.L.249-1983, SEC.1. Amended by P.L.24-1989, SEC.13.

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Title 24. Trade Regulation

Article 5. Consumer Sales

Chapter 7. Health Spa Services

24-5-7-3. Contracts; Term; Limitations

Universal Citation: [IN Code § 24-5-7-3 \(2022\)](#)

Sec. 3. (a) No contract for health spa services may require payments or financing by the buyer over a period in excess of thirty-six (36) months from the date that the contract is entered into. The term of a contract may not be measured by or be for the life of the buyer.

(b) The term of a contract may not exceed three (3) years from the date that the contract is entered into. A buyer may renew a contract for additional periods, but the contract price for the renewal of a contract must be at least twenty-four dollars (\$24) per year.

As added by P.L.249-1983, SEC.1. Amended by P.L.24-1989, SEC.15.

2022 Indiana Code

Title 5. State and Local Administration

Article 22. Public Purchasing
Chapter 17. Contracts
5-22-17-4. Renewal of Contracts
Universal Citation: [IN Code § 5-22-17-4 \(2022\)](#)

Sec. 4. (a) A contract that contains a provision for escalation of the price of the contract may be renewed under this section if the price escalation is computed using:

- (1) a commonly accepted index named in the contract; or
 - (2) a formula set forth in the contract.
- (b) Subject to section 5 of this chapter, with the agreement of the contractor and the purchasing agency, a contract may be renewed any number of times.
- (c) The term of a renewed contract may not be longer than the term of the original contract.

As added by P.L.49-1997, SEC.1. Amended by P.L.153-1999, SEC.5.

IC 24-4-15Chapter 15. Automated External Defibrillators in Health Clubs

- [24-4-15-1](#)"Defibrillator"
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IC 24-4-15-1"Defibrillator"

Sec. 1. As used in this chapter, "defibrillator" means an automated external defibrillator.

As added by P.L.129-2007, SEC.2.

IC 24-4-15-2"Health club"

Sec. 2. (a) As used in this chapter, "health club" means an establishment at which:

(1) an individual, a corporation, a limited liability company, a partnership, an association, a firm, an educational institution, or any other business enterprise offers:

(A) instruction, training, or assistance in physical fitness that is focused primarily on cardiovascular exertion;

or

(B) facilities for the:

- (i) preservation;
- (ii) maintenance;
- (iii) encouragement; or
- (iv) development;

of physical fitness or well-being; and

(2) at least:

(A) fifty (50) persons have:

- (i) purchased; or
- (ii) paid a fee for;

the right to use the physical fitness facilities; or

(B) thirty (30) pieces of motorized physical fitness equipment are provided for use by individuals.

(b) The term includes the following:

- (1) Health spas and studios.
- (2) Sports centers.
- (3) Weight control studios.
- (4) Gymnasiums and workout centers in schools, colleges, and universities.

(c) The term does not include a workout center in:

- (1) a hospital licensed under [IC 16-21](#) or a health facility licensed under [IC 16-28](#);
- (2) a hotel or motel, unless the workout center allows membership by individuals who are not guests of the hotel or motel; or
- (3) an apartment, a condominium, or a town home complex.

As added by P.L.129-2007, SEC.2.

IC 24-4-15-3"Person"

Sec. 3. As used in this chapter, "person" means an individual, a corporation, a limited liability company, a partnership, an association, a firm, or an educational institution.

As added by P.L.129-2007, SEC.2.

IC 24-4-15-4"State department"

Sec. 4. As used in this chapter, "state department" refers to the Indiana department of health.

As added by P.L.129-2007, SEC.2. Amended by P.L.56-2023, SEC.214.

IC 24-4-15-5Health club requirements

Sec. 5. An owner or operator of a health club shall do the following:

(1) Ensure that a defibrillator is:

(A) located on the health club premises and easily accessible to the health club staff, members, and guests; or

(B) if:

(i) the health club is located on the premises of a business of which the health club is a part; and

(ii) the business has an emergency response team;

located on the premises of the business and easily accessible to the emergency response team.

(2) Employ at least one (1) individual who:

(A) has satisfactorily completed a course consistent with the most current national guidelines for; and

(B) is currently certified in;

cardiopulmonary resuscitation and defibrillator use.

(3) Reasonably ensure that at least one (1) individual described in subdivision (2) is on the health club premises when staff is present at the health club during the health club's business hours.

(4) A health club that is not staffed must have the following on the premises:

(A) A telephone for 911 telephone call access.

(B) A sign in plain view containing an advisory warning that indicates that members of the unstaffed health club should be aware that working out alone may pose risks to a health club member's health and safety.

(C) A sign in plain view providing instruction in the use of the defibrillator and in cardiopulmonary resuscitation.

(5) Ensure compliance with the requirements set forth in [IC 16-31-6.5](#).

(6) Post a sign at each entrance to the health club that indicates the location of each defibrillator.

As added by P.L.129-2007, SEC.2. Amended by P.L.3-2008, SEC.173; P.L.134-2008, SEC.14.

IC 24-4-15-6Immunity

Sec. 6. A person is immune from civil liability for acts or omissions involving the use of or the failure to use a defibrillator located on the premises of a health club under this chapter as provided under [IC 34-30-12-1](#).

As added by P.L.129-2007, SEC.2.

IC 24-4-15-7Inspections

Sec. 7. The:

(1) state department and the department of homeland security may inspect a health club at any time:

(A) according to rules adopted by the state department; or

(B) in response to a filed complaint alleging noncompliance with this chapter; and

(2) fire department that serves the area in which a health club is located shall inspect the health club for compliance with this chapter if the health club is inspected as part of an inspection program under [IC 36-8-17-8](#).

As added by P.L.129-2007, SEC.2. Amended by P.L.134-2008, SEC.15; P.L.187-2021, SEC.126.

IC 24-4-15-8Violations

Sec. 8. A person who violates this chapter commits a Class C infraction.

As added by P.L.129-2007, SEC.2.

IC 24-4-15-9Rules

Sec. 9. The state department may adopt rules under [IC 4-22-2](#) to implement this chapter.

As added by P.L.129-2007, SEC.2.