

**GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2019**

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**HOUSE BILL 594
Committee Substitute Favorable 5/3/19
PROPOSED SENATE COMMITTEE SUBSTITUTE H594-CSTU-34 [v.7]
05/29/2020 03:27:30 PM**

Short Title: Temp Open Gyms/Health Clubs/Fitness Ctrs.

(Public)

Sponsors:

Referred to:

April 8, 2019

1 A BILL TO BE ENTITLED
2 AN ACT TO AUTHORIZE INDOOR OR OUTDOOR EXERCISE AND FITNESS
3 FACILITIES, GYMS, HEALTH CLUBS, AND FITNESS CENTERS TO RESUME
4 OPERATIONS WHILE ALSO SAFEGUARDING THE PUBLIC HEALTH TO PREVENT
5 THE SPREAD OF THE CORONAVIRUS DISEASE 2019 (COVID-19).

6 The General Assembly of North Carolina enacts:

7 **SECTION 1.** Notwithstanding any declaration of emergency issued under Article
8 1A of Chapter 166A of the General Statutes or any municipal or county ordinance adopted under
9 that Article related to the public health emergency created by COVID-19, any indoor or outdoor
10 (i) exercise and fitness facilities, (ii) gyms, (iii) health clubs, and (iv) fitness centers as referenced
11 in Section 8 of Executive Order No. 141, Easing Restrictions on Travel, Business Operations,
12 and Mass Gatherings: Phase Two, issued by Governor Roy A. Cooper on May 20, 2020, may
13 open and resume operations provided all of the following apply:

- 14 (1) The establishment was in existence on March 10, 2020.
- 15 (2) Total indoor capacity is limited to fifty percent (50%) of the authorized fire
16 capacity. Employees are excluded from the total indoor capacity.
- 17 (3) All employees answer a health questionnaire and have their temperature taken
18 daily prior to working.
- 19 (4) All employees wear face masks, and all members and visitors are strongly
20 encouraged to wear face masks.
- 21 (5) Contactless check-in is available including propping open all entry doors
22 when possible. Markings are on the ground to denote proper social distancing
23 of at least six feet in the check-in area.
- 24 (6) Sanitation spray bottles with disinfectant or disinfectant wipes that are
25 EPA-approved for SARS-CoV-2 (the virus that causes COVID-19) are
26 available throughout the establishment.
- 27 (7) Hand sanitizer stations are available throughout the establishment. All hand
28 sanitizer is comprised of at least sixty percent (60%) alcohol.
- 29 (8) Employees conduct frequent routine cleanings of high-touch equipment and
30 high-use areas while the establishment is open and conduct a deep clean of the
31 entire establishment after the close of business every day. For establishments
32 that are open 24 hours a day, a deep clean of the entire establishment must
33 occur at least once every 24 hours. Disinfectants that are EPA-approved for
34 SARS-CoV-2 (the virus that causes COVID-19) are used for all cleanings.



- 1 (9) For open space cardiovascular, weight training, and exercise areas, the
2 following practices must be maintained:
3 a. Cardiovascular and weight training equipment is arranged and used in
4 a manner to ensure social distancing of at least six feet.
5 b. Employees monitor the areas for social distancing and to ensure that
6 equipment is being cleaned with disinfectant or disinfectant wipes
7 after each user.
- 8 (10) For studio and group fitness classes, the following practices must be
9 maintained:
10 a. Markings are on the ground at the entrances to classes to denote proper
11 social distancing of at least six feet apart.
12 b. Participants must maintain social distancing of at least six feet during
13 the classes.
14 c. Stations or equipment used during classes is arranged and used in a
15 manner to ensure social distancing of at least six feet.
16 d. All doors to studio and group fitness classes must remain open.
17 e. All rooms and any used equipment must be thoroughly cleaned
18 between classes.
- 19 (11) On-premises childcare is limited to fifty percent (50%) of its current allowed
20 occupancy.
- 21 (12) Social distancing of at last six feet is employed on all open courts and fields.
- 22 (13) All personal hygiene areas and amenity services are closed, except for toilets,
23 lavatories, and lockers where social distancing must be maintained.
- 24 (14) Water fountains are limited to filling water bottles only.
- 25 (15) Signage is posted to remind employees, members, and visitors of the social
26 distancing and sanitation requirements in place.

27 **SECTION 2.** This act is effective when it becomes law and expires upon the later of
28 (i) 30 days after any declaration of emergency prohibitions and restrictions applicable expire or
29 are otherwise terminated to permit indoor and outdoor fitness and exercise facilities, gyms, health
30 clubs, and fitness centers to open for full unrestricted operations or (ii) October 31, 2020.