

## Session 118 - (2009-2010)

### H 3158 General Bill, By Whipper

#### Summary: Physical Fitness Services Act

A BILL TO AMEND CHAPTER 79 OF TITLE 44, AS AMENDED, CODE OF LAWS OF SOUTH CAROLINA, 1976, THE "PHYSICAL FITNESS SERVICES ACT", SO AS TO DELETE A TANNING CENTER AND MARTIAL ARTS STUDIO FROM ITS APPLICABILITY, PROVIDE FOR PERMANENT CLOSURE OF A SUBJECT FACILITY AS AN EVENT ALLOWING CANCELLATION OF A CONTRACT, DEFINE "PERMANENT CLOSURE", PROVIDE FOR RETURN OF UNEARNED PAYMENTS AND ANY EVIDENCE OF INDEBTEDNESS TO THE CANCELING CUSTOMER, THAT A SUBJECT CONTRACT MUST NOT BE SOLD OR ASSIGNED WITHOUT THE CUSTOMER'S CONSENT OR REQUIRE A CUSTOMER TO AFFIRMATIVELY CANCEL THE CONTRACT TO STOP AUTOMATIC RENEWAL, THAT A CONTRACT MAY BE ON A MONTH-TO-MONTH BASIS AND MAY BE PAID FOR BY AUTOMATIC DEBITS SUBJECT TO CERTAIN LIMITATIONS, THAT A SUBJECT CONTRACT IS VOIDABLE BY THE CUSTOMER IF THE FACILITY FAILS TO OBTAIN THE REQUISITE CERTIFICATE OF AUTHORITY, AND THAT THE PROVISIONS ARE ENFORCEABLE BY THE DEPARTMENT OF CONSUMER AFFAIRS AND THE ATTORNEY GENERAL.

**12/16/08 House Prefiled**

**12/16/08 House Referred to Committee on Medical, Military, Public and Municipal Affairs**

**01/13/09 House Introduced and read first time HJ-71**

**01/13/09 House Referred to Committee on Medical, Military, Public and Municipal Affairs HJ-71**