INTRODUCED

February 22, 2012

**H. 4800**

Introduced by Medical, Military, Public and Municipal Affairs Committee

S. Printed 2/22/12--H.

Read the first time February 22, 2012.

**A** **JOINT RESOLUTION**

TO APPROVE REGULATIONS OF THE DEPARTMENT OF CONSUMER AFFAIRS, RELATING TO PHYSICAL FITNESS SERVICES CENTER - CERTIFICATES OF AUTHORITY, DESIGNATED AS REGULATION DOCUMENT NUMBER 4205, PURSUANT TO THE PROVISIONS OF ARTICLE 1, CHAPTER 23, TITLE 1 OF THE 1976 CODE.

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. The regulations of the Department of Consumer Affairs, relating to Physical Fitness Services Center - Certificates of Authority, designated as Regulation Document Number 4205, and submitted to the General Assembly pursuant to the provisions of Article 1, Chapter 23, Title 1 of the 1976 Code, are approved.

SECTION 2. This joint resolution takes effect upon approval by the Governor.

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SUMMARY AS SUBMITTED

BY PROMULGATING AGENCY.

The Department proposes to amend and modify Regulation 28‑100 addressing persons or organizations which, for profit, offer physical fitness services. R.28‑100 was promulgated with an initial effective date of April 27, 1990 and was last amended February 23, 1994. The purposes of the amendments are to revise the title of the regulation and clarify recordkeeping requirements. Also addressed are the financial responsibility requirements for physical fitness services centers, to include bond and letter of credit amounts.

The statute, under 1976 Code Section 44‑79‑80, requires the Department to obtain a $50 filing fee as well as submission of certain items by physical fitness centers before a certificate of authority may be issued. Section 44‑79‑80 also permits the Department to provide for financial responsibility requirements. Record keeping and reporting requirements are also addressed.

Section 44‑79‑90 allows the Department to promulgate regulations necessary to effectuate the purposes of the Chapter.

Notice of Drafting for the proposed regulation was published in the *State Register* on August 26, 2011. Comments were solicited for consideration in drafting the proposed regulation.

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