

A BILL TO BE ENTITLED

AN ACT

relating to an exemption from regulation as health spas for certain governmental hospitals and clinics.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subdivision (4), Section 702.003, Occupations Code, is amended to read as follows:

(4) "Health spa" means a business that offers for sale, or sells, memberships that provide the members instruction in or the use of facilities for a physical exercise program. The term does not include:

(A) an organization that is tax exempt under Section 501 et seq., Internal Revenue Code (26 U.S.C. Section 501 et seq.);

(B) a private club owned and operated by its members;

(C) an entity operated exclusively to:
(i) teach dance or aerobic exercise; or
(ii) provide physical rehabilitation activity related to an individual's injury or disease;

(D) a person engaged in an activity authorized under a license issued by the state; ~~or~~

(E) an activity conducted or sanctioned by a school under the Education Code; or

(F) a hospital or clinic owned or operated by an

1 agency of the state or federal government or by a political
2 subdivision of this state.

3 SECTION 2. This Act takes effect September 1, 2011.