

# State of the States 2026

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US Fitness Policy Update  
& Compliance Guide

### **As the US health and fitness sector continues to grow, diversify, and evolve, so too does the policy environment that shapes how gyms, health clubs, studios, and other fitness businesses operate.**

In 2025, state lawmakers across the country examined more than 160 bills that directly affected fitness facilities, from membership contract terms and auto-renewal rules to taxes, liability, sanitation, data privacy, and staffing requirements. These policies have real operational and financial implications, especially for an industry with tens of thousands of small and midsize businesses.

It is for this reason that the Health & Fitness Association (HFA) developed the State of the States report: a definitive, state-by-state guide to the US fitness industry's legislative and regulatory landscape. The report provides a comprehensive year-in-review of state legislative and regulatory activity in 2025, highlighting key trends shaping the operating environment for fitness businesses. It equips industry stakeholders with a clear and practical resource to better understand regulatory requirements, identify emerging risks, and engage proactively with lawmakers. By consolidating these insights into a single report, we offer a clearer view of how all 50 states and the District of Columbia approach critical policy issues, and what those differences mean for competition, growth opportunities, and market conditions nationwide.

This report also reflects the scope and impact of HFA's advocacy throughout 2025. Over the past year, we delivered more than 50 policy victories at the state level, along with several favorable outcomes in Washington, DC. These achievements are not simply a return on investment. Rather, they function as an insurance policy for every US fitness business. By preventing harmful legislation and advancing common-sense regulations, we help protect and strengthen the industry, while ensuring that the structured exercise environments nearly 80 million Americans rely on remain accessible, affordable, and available in their communities.

In 2025, policymakers intensified their focus on auto-renewal policies, membership cancellation practices, biometric data rules, and pricing transparency. Thanks to the engagement and support of our members, HFA was able to deliver a unified industry message to legislators on both sides of the aisle and push back against proposals that would have created unnecessary costs or compliance challenges for fitness facilities. At the same time, we championed policies that strengthen long-term industry stability, such as tax incentives that promote physical activity, fair and consistent commercial regulations, and greater recognition of fitness facilities as essential components of public health infrastructure.

In 2026, HFA will continue to pay close attention to the myriad of issues impacting your businesses and we look forward to continuing working with you all to promote, protect, and grow the US health and fitness sector.

Sincerely,



**Liz Clark**  
President & CEO  
Health & Fitness Association



**Mike Goscinski**  
Chief of Staff  
Health & Fitness Association



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# About This Report

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## **The State of the States report provides a comprehensive, annual overview of the legislative and regulatory landscape shaping the operations of health and fitness facilities across all 50 states and the District of Columbia.**

It is designed to help operators, policymakers, and industry stakeholders better understand the regulatory environment, market conditions, and key policy developments that affect fitness businesses nationwide. These insights allow the sector to track year-over-year changes, anticipate emerging policy risks, support advocacy campaigns, and ensure compliance with state-level requirements.

The report is structured in two complementary parts. The first half offers a year-in-review analysis of state legislative and regulatory developments, highlighting enacted laws, significant proposals, and emerging policy trends affecting fitness facilities. Detailed state profiles outline legislative structures, key developments from 2025, and forward-looking outlooks where available, helping readers understand how policy environments differ across jurisdictions.

The second half of the report functions as a compliance reference tool. Comparative tables provide a standardized, cross-state summary of major operator requirements, allowing readers to quickly identify areas of alignment or difference across states. Together, these tables consolidate complex statutory and regulatory obligations into an accessible format designed to support rapid compliance checks, multi-state planning, and internal risk assessment.

State of the States focuses exclusively on policy areas that materially affect the operations, costs, compliance obligations, or consumer-facing requirements of commercial fitness facilities. These include gyms, studios, health clubs, and fitness centers of all types and sizes. The report does not cover policies governing unrelated recreation or wellness businesses, such as standalone spas or martial arts schools, unless they directly intersect with fitness facility operations.

Research for this report is based on publicly available state legislative, regulatory, and rulemaking sources. The Health & Fitness Association partnered with Stateside Associates, a state government affairs firm with more than 30 years of experience, to conduct a comprehensive review of statutes, regulations, legislative activity, and rulemaking, supplemented by HFA's internal policy tracking.

## Statutory and Regulatory Framework

Most states enacted their health club regulatory codes, sometimes named "health spa," "health studio," "fitness facility," or "fitness center" codes, during the 1980s and 1990s, with few changes since then. These codes are typically found in statutes, but Delaware, the District of Columbia, Ohio, Tennessee, and West Virginia have promulgated their requirements as state regulations.

Health club codes typically include provisions concerning contract cancellations and refunds, bonding and escrow requirements, and price transparency. Health club codes rarely contain provisions for automatic renewal, click-to-cancel, or free trial restrictions, which typically fall under general consumer protection laws. Health

club codes also rarely address health and safety, accessibility requirements, data privacy, and tax issues. Those issues, when addressed, are found in codes that apply to businesses generally.

In addition to meeting state statutes and regulations, health clubs must adhere to local (county and/or municipal) ordinances and receive approval from local authorities prior to constructing or operating a health club. Local jurisdictions often have their own specific requirements, even for issues for which the state has already enacted or promulgated its own provisions. Developments related to local ordinances all outside the scope of this report.

## State Processes

Understanding state policymaking processes is essential for interpreting the activity summarized in this report. While many actions, like passing a bill or state budget, only require a simple majority, meaning more than half of the votes cast, some actions, such as amending the state constitution or overriding a governor's veto, require a larger percentage of votes (often two-thirds) called a supermajority. If a party holds a supermajority in both chambers, it theoretically becomes easier to push the party's agenda.

To speed up the legislative process, most states allow legislators to introduce companion bills in both legislative chambers. Companion bills contain identical or very similar language. Some states, such

as New Jersey and New York, allow bills to be substituted for their companions if the bill has already undergone its committee process in the chamber of origin. States also introduce companion budget bills to expedite the budget process.

While many bills did not cross the finish line during the 2025 legislative session, these bills still have a chance to advance in 2026. In several states, bills are eligible for "carryover" from odd numbered years to even numbered years, meaning they can be considered in 2026 without needing to start from the very beginning of the legislative process.

## About the Health & Fitness Association

The Health & Fitness Association (formerly IHRSA), a global community of industry leaders, is the only worldwide trade association providing a unified voice for the community of leaders who operate health and fitness facilities, offer professional guidance on physical activity, and provide the tools and equipment to do so to the millions of fitness facility members who understand that exercise improves their physical and mental health.

Through advocacy, education, and research, the association speaks to opportunities, challenges, and changes that are moving the industry into a new era.

Founded in 1981, the association publishes a monthly magazine, *Health & Fitness Business*, and operates The HFA Show, the HFA European Congress, and the Fly-In and Advocacy Summit. The association also partners on events around the world, including Fitness Brasil, ChinaFit, MEFIT Summit and Wellness & Fitness LATAM. Follow the Health & Fitness Association on Facebook, Instagram, LinkedIn, X and YouTube.

[healthandfitness.org](https://healthandfitness.org)

## About Stateside Associates

Stateside brings unparalleled expertise and a proven track record to state and local government affairs initiatives. With over 30 years of experience, they offer a comprehensive suite of services across all 50 states, the District of Columbia, and globally.

Their team, comprised of former legislative staff, regulatory attorneys, and seasoned issue managers, leverages deep bipartisan relationships to deliver results for corporations, associations, and government entities.

Stateside helps clients strategically shape state and local policy outcomes. They provide accurate, relevant legislative and regulatory movement updates to inform engagement strategies. Their research expertise and ability to compile meaningful insightful reporting, provide needed bandwidth expansion to government affairs teams.

Stateside's deep understanding of the policy landscape, combined with our extensive network, deliver impactful results to ensure success.

[stateside.com](https://stateside.com)

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# Executive Summary

# Federal Policy Trends

In 2025, federal policymakers advanced a wide range of legislative, regulatory, and administrative actions affecting physical activity, preventive health, and the operating environment for US fitness businesses. Throughout the year, HFA monitored and engaged with both the executive and legislative branches, providing industry perspective as proposals moved through Congress, federal agencies, and the courts.

Federal engagement on fitness and physical activity increased in 2025, shaped by administration priorities alongside notable regulatory, legislative, and standards-setting developments. As the second Trump Administration took office, Robert F. Kennedy Jr. was confirmed as secretary of health and human services (HHS) and Dr. Mehmet Oz as administrator of the Centers for Medicare & Medicaid Services (CMS). The Administration advanced a Make America Healthy Again (MAHA) agenda emphasizing chronic disease prevention, lifestyle-based interventions, and a reassessment of how federal health policy addresses physical activity. Early discussions also signaled potential restructuring of federal health functions under a future Administration for a Healthy America agency to better align prevention, public health, and care delivery.

Within this broader context, the president announced the reconstitution of the President's Council on Sports, Fitness, & Nutrition and directed the return of the Presidential Fitness Test, elevating youth fitness, physical activity, and nutrition as visible national policy priorities.

Regulatory activity in 2025 had direct implications for fitness businesses and consumer-facing service models. The Federal Trade Commission (FTC) finalized its "negative option" rule, which would have significantly altered federal requirements governing subscription services and cancellation practices across the economy. The rule was scheduled to take effect mid-year but was vacated by the

US Court of Appeals for the Eighth Circuit on procedural grounds, preventing implementation. Separately, the FTC finalized its "junk fees" rule, narrowing its scope to live-event ticketing and short-term lodging and explicitly excluding fitness memberships from coverage in the final regulation.

In healthcare policy, CMS released its annual Physician Fee Schedule directing Medicare, for the first time, to cover a standardized assessment of physical activity as part of preventive care. This action marked a meaningful step toward treating physical activity as a routine clinical risk factor within federal health coverage policy. In parallel, national health data standards advanced with the publication of physical activity measures within Health Level Seven International (HL7), laying groundwork for more consistent documentation and interoperability of physical activity data across electronic health records and related health systems.

Trade and tariff policy also emerged as a significant federal issue intersecting with the fitness sector. The Administration expanded the scope of Section 232 steel and aluminum tariffs, increasing duty rates and adding hundreds of additional product categories to the tariff list. This expansion included certain fitness equipment categories, introducing higher input costs and supply-chain pressures for manufacturers, importers, and operators, and highlighting the tension between trade policy objectives and broader public health goals centered on access to physical activity infrastructure.

On the legislative front, Congress advanced and enacted the "One Big Beautiful Bill," a comprehensive tax package with implications for both consumers and fitness businesses. The House-passed version initially included language to expand Health Savings Accounts (HSA) to cover certain physical activity expenses, reflecting long-standing policy



## Federal Policy Trends (cont.)

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proposals tied to preventive health. Those provisions were ultimately removed in the Senate alongside other HSA changes. While the final law did not expand consumer eligibility for fitness expenses, it delivered several business-focused tax provisions aimed at investment stability and growth, including the restoration of full and immediate expensing for equipment and machinery, expanded interest deductibility, and continued incentives for capital investment. Collectively, these provisions were intended to reduce the cost of expansion, support facility development and modernization, and provide greater tax certainty for capital-intensive businesses such as fitness operators.

Beyond OBBB, Congress saw the introduction of multiple bills related to physical activity and the operating environment for fitness businesses. These included bipartisan legislation in both chambers to formalize the regular publication of federal physical activity guidelines, the introduction of the Make America's Youth Healthy Again Act focused on improving youth health outcomes, and the American Franchise Act in both the House and Senate, reflecting continued congressional interest in franchise policy affecting many fitness operators.





# State Policy Trends

In 2025, state legislatures introduced more than 160 bills of interest to the US health and fitness sector, with 21 signed into law. Throughout the legislative session, HFA engaged with bill sponsors and key stakeholders on beneficial and unfavorable proposals, securing amendments to definitions and obtaining exemptions in alignment with the strategic interests of fitness facility operators.

The largest volume of legislative activity occurred in the areas of advertising and transparency, as states increased efforts to strengthen consumer protection this session. Colorado, Illinois, Maryland, Rhode Island, Utah, and Virginia were among the states that enacted new laws in this area. While many states have long-standing statutes prohibiting unfair or deceptive business practices, few explicitly address total pricing. However, some states—including Arkansas, Illinois, Iowa, Massachusetts, New Jersey, Oregon, Rhode Island, and Texas—have requirements specific to the total prices of services disclosed by gyms. In March, Massachusetts finalized new regulations that require businesses generally to disclose the total price of a product at the time it is presented to consumers, provide clear and accessible information on whether fees are required or optional, and simplify the process for cancelling trial offers and recurring charges.

Another policy area that has seen a large amount of recent activity is click-to-cancel legislation. Through these bills, lawmakers aim to make canceling subscriptions, including those for fitness memberships, simple and straightforward for consumers – often through requiring a direct cancellation mechanism such as a button on the merchant's website. Legislation has also focused on requiring merchants who employ automatically recurring subscriptions, or auto-renewals, to clearly disclose the terms of such subscriptions to consumers. Bills have also stipulated that merchants receive express consent from consumers before charging auto-renewal fees. With the Federal Trade Commission's "Click-to-Cancel" rule – originally set to take effect in mid-2025 – facing major

obstacles in the courts, states are expected to continue attempting to address this area on their own.

Legislators also focused heavily on consumer protection through efforts to regulate biometric data. Despite the large volume of bills introduced on the issue, most failed to advance in the legislative process in 2025. With several states allowing bills to carry over into 2026, lawmakers are expected to continue to work on biometric legislation next year. Overall, biometric data laws are slowly being adopted by the states in the absence of federal law. Several states already have comprehensive laws that regulate the collection of biometric identifiers, generally requiring companies to obtain either opt-in or opt-out consent before collecting such data from consumers. Most of these laws were enacted within the last five years, with the exceptions of Illinois and Texas, which adopted earlier statutes. More states are expected to enact their own laws or make expansions to their consumer protection laws to include the collection of biometric data in the coming years.

Cold spas are considered to be a newer type of pool, and states generally have not taken steps to regulate them. Unless a state's pool rules and codes distinctly do not include cold water in the definition of spa, cold spas are generally subject to rules governing pools. Many of these rules and codes have not been updated in several years with some dating back to the late 1900s and early 2000s. Some states readopt rules as they are, without change, if the rules have an expiration date. Indiana is one example as the state is currently readopting its pool rules with no changes. In many cases, cold spas are currently regulated at the county level and are subject to local approvals. However, there may be a shift in the coming years toward the promulgation of regulations at the state-level as several states, including Colorado, Massachusetts, New Jersey, and Utah, have indicated that they are looking at including provisions specific to cold spas in their pool rules in the future.

# Elections

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Two significant state-level elections took place in November 2025, offering insight into potential priority areas for these states heading into 2026. This off-year election brought major wins for Democrats in both New Jersey and Virginia. Democrats held on to the governor's seat in New Jersey and slightly increased their majority in the state assembly. In Virginia, they flipped the offices of governor, lieutenant governor, and attorney general, and gained 13 seats in the House of Delegates. With both states holding a democratic trifecta, consumer protection legislation and proposals to address affordability and cost of living issues are likely to take center stage.

New Jersey Governor-elect Mikie Sherrill was first elected to Congress in 2018 where she represented New Jersey's 11th District. Sherrill wants to improve government efficiency and minimize burdens on entrepreneurs by reducing the amount of time it takes to approve a business or professional license. Throughout her campaign, Sherrill named the increasing cost of living as one of her top priorities, promising to go after bad actors across various industries that drive up prices. While she is unlikely to go after fitness facilities directly, her proposed policy actions in the consumer protections space could indirectly impact fitness facilities.

Virginia Governor-elect Abigail Spanberger was elected to Congress in 2018, where she served three terms representing Virginia's competitive 7th district. During her campaign, she pledged to remove regulatory burdens for small businesses and grow the state's workforce training and apprenticeship programs. She also supports labor reform that includes a \$15 minimum wage and establishing a paid family and medical leave program. And, she has a brand new, strong Democratic majority in the General Assembly to push this agenda.



# 2025 State Legislative Activity Overview

✓ = Bill Passed | ✗ = Bill Defeated

State	Click-to-Cancel and Auto-Renewal Restrictions	Fitness-Related Tax Policy	Treatment of Independent Contractors	Geolocation & Biometric Data Collection Restrictions	Consumer Protection and Membership Practices
AL			✓	✗	
AK					ACTIVE
AZ	✗				✗
AR	✓			✗	
CA				ACTIVE/✗	✓
CO	✓				
CT	✓+✗	✗			✗
DE					
DC					
FL			✗		
GA	ACTIVE		ACTIVE		
HI			ACTIVE		
ID					
IL				ACTIVE	✓ / ACTIVE
IN					
IA					
KS					
KY			✗		
LA					
ME	✓				
MD	✓		✗		
MA	ACTIVE		ACTIVE	ACTIVE	ACTIVE
MI	ACTIVE		ACTIVE	ACTIVE	ACTIVE
MN				ACTIVE	✓
MS	✗	✗			
MO	✗				
MT				✗	
NE				ACTIVE	
NV					
NH					
NJ	✗		✗		✗
NM					
NY	ACTIVE	ACTIVE	ACTIVE	ACTIVE/✗	ACTIVE
NC	ACTIVE				
ND					
OH		ACTIVE			
OK	✗				
OR					
PA	ACTIVE	ACTIVE	ACTIVE	ACTIVE	ACTIVE
RI			✗	✗	✗
SC					ACTIVE
SD					
TN	ACTIVE		✓		
TX	✗	✓			✗
UT					✓
VT				ACTIVE	
VA		✗		✗	
WA		ACTIVE			
WV	✗		✗	✗	
WI					
WY					
✓	5	1	2	0	4
✗	8	3	6	8	5
ACTIVE	7	4	6	9	7
TOTAL	19	8	14	15	15

# 2025 State Legislative Activity Overview

✓ = Bill Passed | ✗ = Bill Defeated

State	Advertising & Transparency Requirements	Personnel & Accessibility Requirements	Health and Sanitation Requirements	Liability Waivers	Policy Areas Addressed
AL		✗			3
AK					1
AZ	✗				3
AR					2
CA					2
CO	✓				2
CT	✓				4
DE		ACTIVE			1
DC					0
FL					1
GA					2
HI					1
ID					0
IL		ACTIVE	✓		4
IN	✗				1
IA			ACTIVE		1
KS		ACTIVE			1
KY		✗			2
LA					0
ME	✓	ACTIVE			3
MD	✗	✗			4
MA	✓		ACTIVE		6
MI	ACTIVE		ACTIVE		6
MN					2
MS					2
MO					1
MT	✗				2
NE					1
NV					0
NH	✗				1
NJ				✗	4
NM					0
NY	ACTIVE				6
NC	ACTIVE		ACTIVE		3
ND					0
OH			ACTIVE		2
OK	ACTIVE				2
OR	✓			✗	2
PA		ACTIVE			6
RI	✓	✓			5
SC		ACTIVE			2
SD					0
TN	ACTIVE				3
TX			✗		4
UT					1
VT					1
VA	✓				3
WA					1
WV		✗			4
WI					0
WY					0
✓	7	1	1	0	
✗	5	4	2	2	
ACTIVE	5	6	5	0	
TOTAL	17	11	7	2	



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## State Profiles

# Alabama



Fitness Facility Members  
**1.1 Million**

## Legislature Overview

- Each regular legislative session convenes annually and lasts no longer than 30 legislative days during a 105-calendar-day period.
- The 2025 session began February 4 and adjourned May 15.
- Legislation does not carry over.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Treatment of Independent Contractors

In April, Governor Kay Ivey (R) signed **SB 86** allowing independent contractors in the state to open benefit accounts administered by various providers, including banks, investment management firms, and technology providers. The bill sailed through the legislative process with no legislator in either chamber voting against it, and took effect on December 31, 2025. The law allows businesses to contribute to the benefit accounts of their independent contractors. It also creates opportunities to ease contractors' administrative burdens by allowing businesses to withhold a percentage of their paycheck for contribution to the account.

Businesses can deduct contributions to these accounts as expenses on their income tax returns. Importantly, this law is not mandatory but is rather a voluntary system to give businesses flexibility to support their trainers, instructors, and other team members hired as independent contractors. It is also the first example of a portable benefits law that offers a fully tax-advantaged version, treating contributions as both 100 percent tax-deductible for businesses and excluded from contractors' gross income, making the contractor model more sustainable.

## Geolocation & Biometric Data Collection Restrictions

Introduced in March, **HB 436** aimed to put restrictions in place on businesses that collect biological and physiological data including a customer's fingerprints, heart rate, and blood pressure readings. It banned transferring this type of data to a third party without the customer's consent. It would have prevented businesses from marketing to consumers based on their biometric data.

The bill did not advance during the 2025 session and died upon the legislature's adjournment. With the fitness industry increasingly incorporating biometric and physiological tracking to enhance training, improve safety, and personalize member experiences, HB 436 could have led to new compliance costs and limits on how the industry leverages data to deliver value.

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## Personnel & Accessibility Requirements

Introduced in February, **HB 20** sought to prohibit employers from discriminating against employees or applicants for an open position at your facility based on their weight or body size. The bill would have given employees and any applicants a "cause of action" in court: Meaning, they could have sued employers, and the court could not have dismissed the suit out of hand.

The bill did not advance during the 2025 session. While most operators already emphasize inclusive hiring and workplace practices, the bill's broad language could have created uncertainty and litigation risk. Its defeat in 2025 means operators continue under existing federal and state nondiscrimination laws, without new weight-based mandates.

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## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.



# Alaska



Fitness Facility Members  
**220,000**

## Legislature Overview

- For the better part of the last decade, the Alaska Legislature has been ruled by multi-party coalitions. The issues lawmakers tackle here are more region-based, often leading to more bipartisanship in Alaska than in other states.
- The 2025 session began January 21 and adjourned May 20.
- Bills pending at the end of session during an odd-numbered year may be carried over to the following session in a subsequent even-numbered year.

**Governor:** Republican | **House Control:** Bipartisan coalition of Democrats, Independents, and Republicans  
**Senate Control:** Bipartisan coalition of Democrats, Independents, and Republicans

## 2025 Policy Review

### Consumer Protection and Membership Practices

Introduced in January, **HB 20** would ban businesses from charging an additional fee or imposing a different rate on a customer who chooses to receive paper documentation, including invoices and notices. The bill currently sits in the House Committee on Judiciary and is eligible for consideration when the legislature reconvenes in 2026.

If enacted, HB 20 would require clubs to accommodate paper documentation requests without passing on the extra expense, potentially raising administrative costs and creating new compliance requirements.

## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# Arizona



Fitness Facility Members  
**1.8 Million**

## Legislature Overview

- The 2025 legislative session convened on January 13 and adjourned on June 27.
- A session may be extended for seven days but would require a simple majority vote in both chambers.
- During the committee process, committees can offer a “strike-all” amendment, which is a procedural tool that allows lawmakers to delete all of the existing language of a bill and replace it with entirely new language which can be substantially different from the original text.
- Legislation does not carry over.

**Governor:** Democratic | **House Control:** Republican | **Senate Control:** Republican

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

Introduced in February, **HB 2799** would have required health and fitness clubs to let a member cancel an online subscription by the same method used to enroll in the subscription. The bill would also require renewal reminders to be sent to members and give them the ability to opt out of automatic renewal.

Following industry efforts, the proposal did not advance during the 2025 session. While operators already follow existing federal and state rules on contract terms and consumer disclosures, the bill's additional requirements would have introduced new administrative burdens and compliance costs.

### Advertising and Transparency

In 2025, there were two bills introduced relating to total price. The bills, **HB 2940** and **SB 1167**, would have required a club to include all mandatory fees in its advertised prices. It also would have required clubs to describe any refund policy on receipts.

The bills did not advance during the 2025 session. Its defeat means clubs retain flexibility in how they present pricing and structure receipts, without new state-mandated formatting or disclosure requirements.

## Consumer Protection and Membership Practices

**HB 2924**, introduced in 2025, sought to expand the state's consumer fraud laws by defining a wide range of additional unfair or deceptive practices. Among its provisions, the bill would have prohibited clubs from advertising free services or classes without clearly disclosing all conditions and prerequisites. It also would

have barred operators from offering rebates, discounts, or other benefits that were contingent on future events, language that could have limited common promotional practices across the industry. The bill never received a committee vote, signaling limited support or consensus among lawmakers.

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## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# Arkansas



Fitness Facility Members  
**570,000**

## Legislature Overview

- The 2025 session began January 13 and adjourned May 5.
- The legislature has two types of sessions, regular and fiscal. Regular sessions, reserved for policy legislation, are held in odd-numbered years and cannot exceed 60 calendar days unless extended by a two-thirds vote. Fiscal sessions, reserved for budget approval and state agency appropriations, are held in even-numbered years and cannot exceed 30 calendar days, unless three-fourths of members vote to extend the session for a maximum of 15 days.
- Legislation does not carry over.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

In April, Governor Sarah Huckabee Sanders (R) signed **HB 1820** into law. The law strengthens requirements for automatic renewal and online cancellation, requiring health and fitness clubs to clearly disclose renewal terms, obtain customer consent before

charging, send reminders before trial periods or annual renewals, and provide straightforward cancellation options, including a one-click online mechanism. The law took effect on August 3.

### Geolocation & Biometric Data Collection Restrictions

In 2025, Arkansas lawmakers considered **AB 258**, which would have required businesses to obtain customer consent before collecting biometric data such as fingerprints, voiceprints, or other unique biological identifiers used to confirm identity. The bill failed to pass a Senate vote and is no longer actionable.

For fitness facilities, many of which are adopting biometric tools for member check-in, personalized training, and security, the measure could have introduced new compliance obligations and operational costs.

## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# California



Fitness Facility Members

**10.4 Million**

## Legislature Overview

- The California Legislature convenes the first Monday of December of any even-numbered year and adjourns November 30 of the following even-numbered year.
- California will frequently introduce 'spot bills'. These bills act as placeholders and will likely be amended later in session to contain the author's true intent.
- The legislature goes into recess multiple times throughout session and may hold interim studies on certain measures.
- Bills left pending at the end of a session in an odd-numbered year may be carried over to the following session in subsequent even-numbered years.

**Governor:** Democratic | **House Control:** Democratic Supermajority | **Senate Control:** Democratic Supermajority

## 2025 Policy Review

### Consumer Protection and Membership Practices

In October, Governor Gavin Newsom (D) signed AB 483, a measure regulating early termination fees in fixed-term installment contracts. The law prohibits businesses from charging early termination fees unless the contract clearly discloses the total cost of those fees, and it caps such fees at no more than 30% of the total contract value.

While the bill was not drafted specifically for fitness facilities, it could apply to clubs that utilize fixed-term installment agreements. The law takes effect on August 1, 2026.

### Biometric Data Collection Restrictions

In March, Assemblymember Carl DeMaio (R) introduced **AB 364** which would require certain businesses to disclose when they maintain a customer's personal information outside of the United States. The bill applies to companies with at least \$25 million in annual revenue or those that buy, share, or sell personal information for 100,000 or more customers or households. Personal information is broadly defined and includes biometric data such as fingerprints, health metrics, and exercise information.

Under the proposal, businesses maintaining customer data abroad would be required to inform customers and obtain their consent before continuing to store that information in a foreign country. The bill is currently awaiting a hearing in the Assembly Privacy and Consumer Protection Committee.

## Geolocation Data Collection Restrictions

In February, Assemblymember Christopher Ward (D) introduced **AB 1355**, that would restrict how businesses collect and process individuals' location information. The bill would prohibit businesses from gathering or using location data beyond what is necessary to deliver a service and would require clear disclosure to customers when location information is collected, including how that data is used and protected. Additionally, businesses would be prohibited from selling location information to third parties.

AB 1355 advanced through the Assembly Privacy and Consumer Protection Committee with a 9–3 vote and later passed the Assembly Judiciary Committee by a vote of 7–3.

AB **1331** was introduced in February 2025 and would prohibit a business from monitoring or surveilling workers in off-duty areas such as break rooms and cafeterias. All surveillance tools must be disabled during off-duty hours, including rest and break periods. This bill passed the Assembly in June by a 55-15 vote. It passed through its first committee in the Senate, but was ordered to the Inactive File in September, effectively defeating the bill. It remains eligible for consideration in 2026

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## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# Colorado



Fitness Facility Members  
**1.5 Million**

## Legislature Overview

- The 2025 session began January 8 and adjourned May 7.
- Legislators cannot introduce more than five bills per session, excluding appropriations and interim bills, resulting in low bill volume for Colorado.
- There is a strict bill introduction deadline; bills may only be introduced after the deadline if the member gets a delayed bill request signed by the House or Senate Committee on Delayed Bills.
- Legislation does not carry over.

Governor: Democratic | House Control: Democratic | Senate Control: Democratic

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

In April, Governor Jared Polis (D) signed **SB 145** that requires health and fitness clubs to provide easy online cancellation options, including a one-click option or in-person cancellation for automatic renewal subscriptions or trial period offers. During the legislative process, lawmakers adopted amendments allowing clubs to display discounted offers, retention benefits,

or information about the effect of cancellation, provided a direct cancellation hyperlink remains clearly visible. The final version preserved the ability for clubs to display retention offers, striking a balance between consumer protections and operational flexibility. The law takes effect February 16, 2026.

### Advertising and Transparency

Governor Polis also signed **HB 1090** in an effort to crack down on so-called “junk fees.” The bill requires businesses to show the full cost of services as one total price, meaning clubs must advertise prices that include mandatory fees or non-discretionary fees. It also specifies that pricing information must be immediately noticeable and easy for customers to understand.

The fitness industry worked with lawmakers to clarify how “total price” would be defined and applied, ensuring compliance expectations were clear and workable for clubs. As a result, operators will be able to adjust marketing and billing practices with greater certainty, while aligning with broader state consumer-protection goals. The law takes effect January 1, 2026.

## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.



# Connecticut



Fitness Facility Members  
**860,000**

## Legislature Overview

- In even-numbered years, only committees may introduce bills unrelated to budget matters. If a legislator wishes to have a non-budget bill raised, they must petition the committee to raise the concept as a committee bill.
- The 2025 session began January 8 and adjourned June 4.
- Legislation does not carry over.

**Governor:** Democratic | **House Control:** Democratic Supermajority | **Senate Control:** Democratic Supermajority

## 2025 Policy Review

### Fitness-Related Tax Policy

Introduced in January, **HB 5079** would have exempted health and athletic club services and fees from the sales and use tax. Industry advocates successfully elevated the issue and secured the bill's introduction, putting the tax treatment of fitness memberships squarely on the legislative agenda. Although the measure did not

advance before the legislature adjourned in June, it establishes a foundation for continued advocacy in future sessions to secure tax relief for fitness facilities and their members.

### Click-to-Cancel and Auto-Renewal Restrictions

Connecticut lawmakers considered multiple proposals in 2025 related to automatic renewal practices and membership cancellation requirements. The most impactful of these, **SB 1357**, was signed into law by Governor Ned Lamont (D) in June. The new law requires health clubs to issue written confirmation of a member's cancellation within 10 business days of receiving written notice, prominently display information about the Connecticut Health Club Guaranty Fund at the top of contracts and allow customers to void a contract if facilities or amenities are

no longer substantially available. Industry engagement played an important role in shaping the final legislation, securing a 10-business-day confirmation window was a key improvement that aligns consumer protection goals with operational feasibility. The law took effect July 1, 2025.

Lawmakers introduced several additional click-to-cancel and auto-renewal proposals that did not advance. Governor Lamont authored **SB 1248**, which would have required businesses to

provide total up-front pricing, send annual renewal reminders, and allow customers to cancel subscriptions using the same method used to enroll. As drafted, the bill could have disrupted common membership models by requiring repeated manual renewals, and it ultimately died upon adjournment.

Two other measures introduced in January—**HB 5559** and **SB 156**—proposed similar requirements. HB 5559 would have required clubs to offer cancellation via the same channel used for sign-

up (online, phone, etc.), while SB 156 would have mandated that cancellations be processed within 10 business days. Both bills failed to advance, preventing the imposition of new operational mandates beyond those already addressed by existing state law and the newly enacted SB 1357.

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## Consumer Protection and Membership Practices

The Connecticut General Law Committee sponsored **HB 5744**, a proposal that would have prohibited businesses from requiring customers to store credit or debit card information when entering into a contract or enrolling in an automatically renewing service. During the committee hearing, numerous organizations and business owners raised concerns, noting that recurring payments support operational efficiency, reduce administrative burden,

and provide convenience for both businesses and consumers.

The bill did not advance after the hearing and ultimately failed in June. Its defeat preserves the ability for fitness clubs to continue using card-on-file practices that support reliable billing systems and member convenience.

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## Advertising and Transparency

In June, Governor Ned Lamont (D) signed **SB 3** into law, establishing new all-in pricing requirements for goods and services sold in Connecticut. The law prohibits businesses from advertising, displaying, or offering a price that does not include all fees, charges, and costs the consumer will be required to

pay. Fitness industry advocates played a key role in shaping the final measure, securing amendments that allow an exemption in situations where a facility cannot feasibly calculate the cost of an item or fee at the time of purchase. SB 3 takes effect on July 1, 2026.

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## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# Delaware



Fitness Facility Members  
**230,000**

## Legislature Overview

- The 2025 session began January 14 and adjourned June 30.
- Bills left pending at the end of a session in an odd-numbered year may be carried over to the following session.

**Governor:** Democratic | **House Control:** Democratic Supermajority | **Senate Control:** Democratic Supermajority

## 2025 Policy Review

### Personnel & Accessibility Requirements

Introduced in April, **HB 115** would prohibit employment and public accommodation discrimination based on weight, height, or body size. The proposal would bar employers from limiting, segregating, or classifying employees on these grounds and would prevent businesses from denying services, classes, or membership benefits for the same reasons.

HB 115 failed at the end of the 2025 session but is eligible for consideration in 2026. If enacted, such legislation could require operators to review employment practices, staff training, and member policies to ensure compliance with new standards.

### 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# District of Columbia



Fitness Facility Members  
**200,000**

## Legislature Overview

- The Council meets for a two-year session.
- Both the Mayor and independent agencies introduce measures through the Chairman of the Council.
- Committees are not required to hear every bill referred to them.

**Mayor:** Democratic | **Council Control:** Democratic

## 2025 Policy Review

No bills or policy proposals introduced during 2025 directly targeted health and fitness clubs or related facility operations.

## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# Florida



Fitness Facility Members  
**3.5 Million**

## Legislature Overview

- The 2025 session began March 4 and adjourned June 16.
- Florida has an active interim: Prefiled bills may be heard and passed out of committees before being formally introduced.
- Many bills in Florida have companions in the opposite chamber with identical text. Once the legislature formally convenes, a bill may be "substituted" for its companion in the opposite chamber if that bill has already undergone the committee process and passed its chamber of origin.
- Legislation does not carry over.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Treatment of Independent Contractors

In 2025, lawmakers considered **HB 1067** and **SB 1130**, companion bills that would have allowed businesses to voluntarily contribute to portable benefits accounts for independent contractors. These accounts could be used to fund health insurance, life insurance, retirement benefits, and other portable protections for qualifying workers.

Although neither bill advanced this session, industry advocates supported the proposals and plan to continue pursuing their reintroduction and passage in 2026.

### 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# Georgia



Fitness Facility Members  
**2.6 Million**

## Legislature Overview

- The legislature convenes on the second Monday in January, with the session lasting a total of just 40 days.
- The 2025 session began January 13 and adjourned April 4.
- Georgia allows shell bills that have little or no substantive language and serve as a placeholder for legislative proposals to be amended into the measure at a later date.
- Bills left pending at the end of session during an odd-numbered year may be carried over to the following session in the subsequent even-numbered year.

**Governor:** Republican | **House Control:** Republican | **Senate Control:** Republican

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

Georgia lawmakers considered multiple proposals in 2025 related to automatic renewal practices and membership cancellation requirements.

Introduced in February, **HB 529** would revise the definition of "automatic renewal" to apply to contracts longer than one month and establish new disclosure and termination standards for businesses entering into such agreements. The bill requires clear explanation of renewal terms, including how to terminate a contract, and mandates that customers be given an opportunity to end the agreement after a specified period rather than remaining subject to continual automatic renewals.

Fitness industry advocates testified on the bill and worked closely with the sponsor to secure significant amendments. The original version would have required contracts to automatically expire, a provision that threatened membership continuity.

The amended version maintains consumer protections while preserving workable membership models for health and fitness clubs. HB 529 passed the House in March and awaits a hearing in the Senate Committee on Agriculture and Consumer Affairs, where it remains eligible for consideration in 2026.

A related measure, **SB 127**, also introduced in February, would require businesses with fewer than 200 employees to disclose all aspects of automatic renewal contracts, notify customers 30–60 days before renewal deadlines, provide contact information for staff who can assist with cancellations, and obtain written or electronic consent for renewals lasting more than 24 months. The bill failed to advance by the end of the 2025 session but remains eligible for consideration when lawmakers reconvene in 2026.

## Treatment of Independent Contractors

Introduced in February, **SB 227** would establish new legal protections for freelance workers. The bill defines a freelance worker as someone who is hired to provide services for 120 days and paid at least \$800. Fitness facilities engaging trainers or instructors under these conditions would be required to execute written contracts and comply with strict payment timelines, either by the date stated in the contract or within 30 days of completing the work if no date is specified. The proposal also gives freelance workers the right to file legal complaints against businesses that fail to meet these requirements.

For fitness facilities, the measure could increase administrative obligations, introduce new legal risks, and limit flexibility in structuring independent contractor arrangements. The bill failed to advance during the 2025 session. It currently sits in the Senate Committee on Insurance and Labor and is eligible for consideration when the legislature reconvenes in 2026.

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## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.



# Hawaii



Fitness Facility Members  
**230,000**

## Legislature Overview

- Hawaii has a two-year session that convenes annually on the third Wednesday in January and remains in session for 60 legislative days.
- The 2025 session began on January 15 and adjourned on May 2.
- Bills left pending at the end of a session in an odd-numbered year may be carried over to the following session in the subsequent even-numbered year.

**Governor:** Democratic | **House Control:** Democratic Supermajority | **Senate Control:** Democratic Supermajority

## 2025 Policy Review

### Treatment of Independent Contractors

In 2025, Hawaii lawmakers considered proposals that would expand the Hawaii Employment Relations Act to cover independent contractors, extending to them the same organizing and collective bargaining protections currently afforded to employees. The House version of the proposal, **HB 931**, did not

receive consideration from the committee it was assigned to prior to the legislature adjourning in May. The Senate version of the bill, **SB 1523**, received a hearing and passed its initial committee but did not advance further before the 2025 session ended. It is eligible for consideration when the legislature reconvenes in 2026.

### 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# Idaho



Fitness Facility Members  
**370,000**

## Legislature Overview

- The 2025 session began January 6 and adjourned April 4.
- Legislation does not carry over.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

No bills or policy proposals introduced during the 2025 legislative session directly targeted health and fitness clubs or related facility operations.

## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.



Fitness Facility Members  
**3.5 Million**

## Legislature Overview

- The General Assembly has a two-year session. The 2025 session convened on January 8. While each session informally adjourns May 31, sine die adjournment (the formal end to the legislative session, when all pending bills die) does not occur until a few days before the beginning of the next session.
- At the beginning of session, it is not uncommon for legislators to introduce "shell bills." A shell bill typically has no substantive provisions and is introduced for purposes of later being amended to include an actual legislative proposal.
- Bills left pending at the end of a session in an odd-numbered year are allowed to be carried into the following session in the subsequent even-numbered year.

**Governor:** Democratic | **House Control:** Democratic Supermajority | **Senate Control:** Democratic Supermajority

## 2025 Policy Review

### Consumer Protection and Membership Practice

In August, Governor JB Pritzker (D) signed **SB 314** into law, which prohibits fitness centers from offering "lifetime" memberships and requires operators to provide members with 60 days' notice before automatically renewing a contract when pricing or benefits differ from the original agreement. Facilities that fail to provide notice must honor the original contract terms until the member cancels. While the bill creates new compliance obligations, most operators will not be significantly affected, as lifetime memberships are uncommon.

Lawmakers also considered several proposals focused on pricing transparency and billing practices. **HB 62**, introduced in January, sought to reduce so-called "junk fees" by requiring businesses to display the total price of goods or services, including all mandatory fees, and to disclose how those fees may

be refunded. For fitness clubs, this would have required broader public pricing disclosures across membership and service offerings. The bill failed to advance in 2025. It currently sits in the House Committee on Rules and is eligible for consideration when the legislature reconvenes in 2026.

In February, legislators introduced **HB 3148**, which would make it unlawful for a facility to charge additional costs to customers who do not enroll in autopay or who request physical mailings of invoices or statements. The proposal permits businesses to offer discounts for customers who choose autopay or electronic delivery. The bill passed the House unanimously but did not move forward in the Senate before adjournment. It remains eligible for consideration in the 2026 session.

## Geolocation & Biometric Data Collection Restrictions

Illinois lawmakers introduced several privacy-related proposals in February 2025 addressing biometric identifiers, personal information, and geolocation data. **HB 2838** would revise the state's **Biometric Information Privacy Act** (BIPA), first enacted in 2008, by expanding the definition of biometric identifiers to include retina and iris scans, fingerprints, voiceprints, and geometry scans. It also outlines new disclosure and consent requirements and preserves a private right of action, an important consideration for clubs using biometric entry systems or data-driven fitness services. A related proposal, **HB 3667**, would require facilities to notify members at the point of initial biometric data collection.

Lawmakers also considered broader personal-data and geolocation protections. **SB 52** would establish a new Privacy

Rights Act requiring businesses to inform customers when collecting personal information and to offer an opt-out for data sharing, provisions that would apply to how fitness facilities communicate the use of member data.

**SB 2121** focuses on geolocation practices, prohibiting businesses from collecting location information except for purposes identified in a published privacy policy and requiring explicit consent before any data collection.

Each of these measures failed to advance during the 2025 session. All remain in committee and are eligible for consideration when the legislature reconvenes in 2026.

## Health and Sanitation Requirements

Illinois enacted several significant updates to aquatic facility and cold-spa standards in 2025. In August, Governor JB Pritzker (D) signed **HB 3050**, which extends the validity of swimming-facility construction and maintenance permits from one year to two years, reducing administrative burdens. The law takes effect January 1, 2026.

HB 3050 also became the vehicle for consolidating earlier cold-spa proposals (originally introduced as SB 25 and HB 1281) into a single regulatory framework. The law requires cold-spa facilities to obtain state permitting, maintain water temperatures between 40 and 60 degrees Fahrenheit, display clear signage outlining risks and proper use, install non-slip surfaces and visible timers,

ensure continuous filtration and sanitation of water, and have trained staff present when the spa is in operation. The law also restricts use to individuals age 14 and older. Industry advocates played a decisive role in shaping the final law, securing amendments that lowered the originally proposed minimum temperature from 50 degrees to 40 degrees, aligning the standard with current industry practices.

Governor Pritzker also signed **SB 189** in August, directing the Department of Public Health to establish new rules governing the design, construction, sanitation, and maintenance of aquatic features, including overhead systems.

## Personnel & Accessibility Requirements

Illinois considered one measure related to hiring practices in 2025. **HB 1594** would make it a civil rights violation for an employer to discriminate against an applicant based on weight or size during

the hiring process. The bill did not advance and remains in the House Committee on Rules, eligible for consideration when the legislature reconvenes in 2026.

## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# Indiana



Fitness Facility Members  
**1.4 Million**

## Legislature Overview

- Bills can be amended, but amendments must be germane, meaning they must be related to the subject and purpose of the bill in its original form.
- The 2025 session began January 13 and adjourned April 24.
- Legislation does not carry over.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Advertising and Transparency

In 2025, Indiana lawmakers considered **HB 1627**, which would have required businesses to display the full price of a good or service, including all associated fees and charges. Failure to do

so would constitute a violation of the state's deceptive consumer practices act and allow consumers to pursue legal action. The bill did not advance and failed upon adjournment of the session.

### 2026 Outlook

Indiana is currently going through the rulemaking process to readopt swimming pool regulations that require lifeguards be present at public pools.

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.



Fitness Facility Members  
**710,000**

## Legislature Overview

- Iowa's legislative session lasts approximately 110 calendar days in odd-numbered years and approximately 100 calendar days in even-numbered years.
- The 2025 session convened on January 13 and adjourned on May 14.
- Bills can be introduced as prefiles (LSR), bills (HF/SF), or study bills (HSB/SSB). Study bills lack a legislator's sponsorship and are legislative priorities sponsored by the governor, state agencies, and legislative committees.
- Legislation may be carried over from odd numbered years to even numbered years.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Democratic Supermajority

## 2025 Policy Review

### Health and Sanitation Requirements

In 2025, Iowa lawmakers considered **HB 524**, which would prohibit health clubs from allowing individuals under 18 to use tanning beds or booths unless a parent or guardian provides written, in-person consent. The consent form must include a required statement noting the increased melanoma risk

associated with UV tanning and the heightened danger of exposure at a young age.

The bill passed the House in March 2025 with strong bipartisan support and now awaits consideration in the Senate.

### 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# Kansas



Fitness Facility Members  
**740,000**

## Legislature Overview

- The Kansas Legislature convenes each year on the second Monday in January until there is a motion to adjourn.
- Sessions during even-numbered years do not exceed 90 calendar days unless there is a two-thirds majority vote to do so in both chambers.
- The 2025 session convened on January 13 and adjourned on April 11.
- Legislation carries over from odd-numbered to even-numbered years.

**Governor:** Democratic | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Personnel & Accessibility Requirements

Kansas lawmakers considered **HB 2407**, which would prohibit employers from discriminating in hiring, firing, promotions, or other terms of employment based on an individual's sexual

orientation, gender identity, or gender expression. The bill failed at the end of session but is eligible for consideration in 2026.

## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.



# Kentucky



Fitness Facility Members  
**900,000**

## Legislature Overview

- In even-numbered years, the session may not last more than 60 legislative days and cannot extend beyond April 15. In odd-numbered years, the session may not last more than 30 legislative days and cannot extend beyond March 30.
- In 2025, the session began on January 7 and adjourned on March 28.
- Legislation does not carry over.

**Governor:** Democrat | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Treatment of Independent Contractors

Kentucky lawmakers considered **HB 791**, which would have allowed workers to take legal action if they were misclassified as independent contractors. Under the proposal, misclassified employees would be entitled to full wages and overtime

compensation, liquidated damages, and recovery of court costs and attorney fees. The bill failed upon adjournment of the legislature in March.

### Personnel & Accessibility Requirements

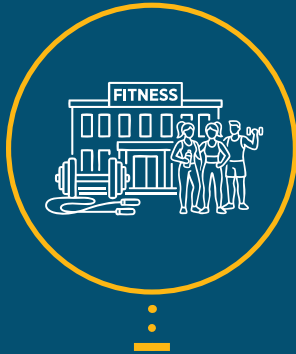
Kentucky lawmakers considered two measures in 2025 expanding employment nondiscrimination protections. **HB 125** would have prohibited discrimination based on hair texture or protective hairstyles, including braids, locks, and twists. Meanwhile, **HB 656** proposed adding weight as a protected characteristic and

would have barred employment practices that segregate, limit, or classify individuals on that basis. It also would have required employers to provide written notice of these rights as part of the job application process. Both bills failed upon adjournment of the 2025 legislative session.

## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# Louisiana



Fitness Facility Members  
**950,000**

## Legislature Overview

- In even-numbered years, session convenes on the second Monday in March and lasts 60 legislative days in an 85-calendar-day period.
- The 2025 session began on April 14 and adjourned June 12.
- Legislation does not carry over.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

No bills or policy proposals introduced during the 2025 legislative session directly targeted health and fitness clubs or related facility operations.

## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# Maine



Fitness Facility Members  
**190,000**

## Legislature Overview

- The 2025 session was convened on December 4 and adjourned on March 21.
- The full chamber is not required to follow the committee's recommendation. The chamber can pass the original version of a bill, even if a committee amended it, and vice-versa.
- Bills may be carried over from the odd-numbered year to the even-numbered year. However, committees must request that a bill be carried over.

Governor: Democratic | House Control: Democratic | Senate Control: Democratic

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

In June, Governor Janet Mills (D) signed **LD 1642**, a measure establishing new requirements for health club memberships that include automatic renewal. The law requires clubs to obtain a consumer's explicit consent before enrolling them in an auto-renewing membership and to disclose the amount and frequency of charges as well as the cancellation policy. For memberships lasting 12 months or more that then renew for more than a month, clubs must also provide advance notice prior to renewal.

Fitness industry advocates worked with lawmakers to secure a favorable amendment that clarified the bill's requirements and ensured they were workable for operators while meeting the state's consumer protection goals.

### Advertising & Transparency

Enacted without Governor Janet Mills's (D) signature in June, **LD 414** prohibits short-term lodging and event ticket providers from displaying prices that exclude mandatory fees. In its original form, the bill was drafted broadly enough that it could have applied to a wide range of businesses, including fitness

facilities. Industry advocates worked with lawmakers to secure amendments narrowing the bill's scope, ensuring that health and fitness facilities were not inadvertently captured by the new requirements.

## Personnel & Accessibility Requirements

Maine lawmakers considered one proposal in 2025 that would have changed existing nondiscrimination protections under state law. **LD 1432** sought to remove "gender identity" from the list of protected classes under the Maine Human Rights Act,

which governs discrimination in employment, housing, public accommodations, and other areas. The Joint Judiciary Committee issued a majority "Ought Not to Pass" report on the bill, making further action unlikely.

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## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# Maryland



Fitness Facility Members  
**1.5 Million**

## Legislature Overview

- The legislature convenes annually for 90 days, with the session beginning on the second Wednesday of January.
- The 2025 session convened on January 8 and adjourned on April 7.
- Legislation does not carry over.

**Governor:** Democratic | **House Control:** Democratic Supermajority | **Senate Control:** Democratic Supermajority

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

Maryland enacted several measures in 2025 affecting automatic renewal practices for health and fitness clubs.

**HB 107** and **SB 49**, companion bills signed into law by Governor Wes Moore (D) in April, establish new requirements for facilities offering automatic-renewal contracts. The laws require clear disclosure of contract terms before signing, accessible instructions for terminating a membership, and timely processing of cancellation requests with minimal delay. When a free trial or promotional period is offered, facilities must also notify customers before the trial ends and provide an opportunity to cancel before the renewal takes effect. The law also requires facilities to send annual disclosures to members on annual

memberships reminding them of their membership and how to cancel if they choose to do so. The new auto-renewal rules will go into effect on June 1, 2026.

Governor Moore also signed **HB 431**, which prohibits businesses from imposing shorter time frames for actions or services than those required by state law. It also prohibits clauses in consumer contracts that shorten the time period a consumer has to bring a legal claim compared to what Maryland law otherwise allows. In practical terms for fitness facility contracts, the three-year rule under the general statute (Courts & Judicial Proceedings § 5-101) is the common baseline. This law goes into effect on June 1, 2026, and only applies to contracts entered into on or after this date.

### Treatment of Independent Contractors

Maryland lawmakers considered **HB 632**, a proposal that would have prohibited fitness facilities from classifying an individual as an independent contractor if they were working as a full-time or part-time employee of the facility. Misclassification under the bill would have triggered investigations and penalties for noncompliance.

Industry advocates intervened early in the process to raise concerns about the bill's broad scope and its potential impact on common staffing models used across the fitness sector. HB 632 ultimately failed upon adjournment, preventing the imposition of new restrictions on how facilities engage instructors and other workers.

## Advertising & Transparency

**HB 224** sought to double Maryland's penalty for false advertising from \$500 to \$1,000, a change that could have increased liability for fitness facilities in cases where all fees or costs associated with a membership were not fully disclosed. Industry advocates

raised concerns about the expanded penalty and its impact on operators, and HB 224 ultimately failed to advance during the 2025 session.

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## Personnel & Accessibility Requirements

Maryland lawmakers also considered a proposal in 2025 that would have expanded the state's employment discrimination standards. **HB 1261** sought to prohibit actions, regardless of

intent, that have a discriminatory effect on individuals based on sexual orientation or gender identity. The bill failed upon adjournment of the legislative session.

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## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# Massachusetts



Fitness Facility Members  
**1.7 Million**

## Legislature Overview

- The legislature operates on a full-time basis.
- The legislature is constitutionally mandated to meet in their respective chambers for either an informal or formal session every 72 hours. Formal sessions consider controversial issues, while informal sessions address non-controversial business.
- Bills may remain dormant for extended periods of time.
- Bills may be carried over from the odd-numbered year to the even-numbered year.

**Governor:** Democratic | **House Control:** Democratic Supermajority | **Senate Control:** Democratic Supermajority

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

Massachusetts lawmakers considered several proposals in 2025 focused on automatic renewal practices and online cancellation options for health club memberships. **HB 4274** would require clubs to clearly disclose membership categories, costs, and contract terms, including any automatic renewal provisions. The bill also prohibits contract transfers without written consent and requires that clubs offer an online method for submitting cancellation notices. HB 4274 passed the House Committee on Consumer Protection and Professional Licensure and currently sits in the House Ways and Means Committee.

Two additional measures addressed online cancellation requirements. **HB 388** and its Senate companion, **SB 249**, would require any health club that allows members to purchase or adjust contracts online to also provide an online cancellation option. Both bills received hearings in April but have not advanced.

A related proposal, **HB 413**, applies specifically to health clubs with 200 or fewer members and would require immediate online cancellation functionality if the club uses a website for membership sign-ups. HB 413 also received a hearing but has not moved forward.

### Treatment of Independent Contractors

Massachusetts lawmakers also considered proposals in 2025 aimed at tightening worker-classification standards. **HB 2130** would apply a three-part test under which a worker is presumed to be an employee unless they are free from the organization's control and direction,

perform services outside the organization's usual course of business, and are customarily engaged in an independently established occupation. The bill received a hearing in June. Its Senate companion, **SB 1337**, also received a hearing but has not advanced further.

## Consumer Protection and Membership Practices

Massachusetts lawmakers considered one measure in 2025 addressing contract flexibility for members facing medical issues. **HB 410** would require clubs to allow members who become physically or medically disabled for more than three months to

either pause their membership payments during the disability period or extend their contract at no additional cost. The bill received a hearing in April and remains in committee.

## Geolocation Biometric Data Collection Restrictions

Massachusetts considered several proposals in 2025 addressing biometric identifiers, fingerprint security, and geolocation practices. **SB 43** would require businesses to adopt written policies for the retention and destruction of fingerprints and hand scans and to obtain informed written consent before collecting or storing this data. The bill passed its first committee and now sits in the Senate Ways and Means Committee. A related measure, **SB 36**, would prohibit clubs from installing equipment that uses a customer's fingerprint or gait. In May, the legislature procedurally linked SB 36 to SB 43, meaning it would take effect only if SB 43 is enacted.

access to secure that data using protections equal to or greater than those applied to other confidential information and would prohibit the sale of fingerprint data. It received a hearing in the Joint Committee on Advanced Information Technology, the Internet, and Cybersecurity but has not advanced. Meanwhile, **SB 197** would require businesses to provide consumers with a location privacy policy and obtain their consent before collecting location information; it passed the same committee and is now before the Senate Ways and Means Committee. Its House companion, **HB 86**, has not moved forward.

Other measures focused on data security and location privacy. **HB 96** would require clubs that use fingerprints for member

## Advertising & Transparency

In March, the Massachusetts Office of the Attorney General finalized a regulation defining certain unfair and deceptive acts and practices related to price disclosures. The rule requires businesses to clearly and conspicuously disclose the total price of a product or service in advertisements, including all fees,

charges, interest, or other expenses necessary to complete a transaction. For fitness facilities, the regulation reinforces the need for transparent, all-in pricing across marketing and promotional materials.

## Health and Sanitation Requirements

Massachusetts lawmakers also considered new emergency preparedness standards for clubs in 2025. **HB 2424** would require each facility to maintain at least one automated external defibrillator (AED) on site and ensure that an employee or authorized volunteer trained in its use is present during operating hours. The bill specifies that AEDs must be secure

yet easily accessible, clearly marked, publicized, and located near a telephone or radio. It also directs clubs to develop and maintain written emergency response policies and procedures. The proposal passed the Joint Committee on Public Health and currently sits in the Joint Health Care Financing Committee.

## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.



# Michigan



Fitness Facility Members  
**2 Million**

## Legislature Overview

- The legislative session begins in January and lasts two years.
- Legislation may lie untouched for extended periods of time before receiving consideration.
- The 2025 legislative session began on January 8, 2025, and is scheduled to adjourn on December 31, 2026.
- Legislation may carry over from odd years to even years.

**Governor:** Democratic | **House Control:** Republican | **Senate Control:** Democratic

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

Michigan lawmakers considered multiple automatic renewal and consumer protection proposals in 2025, including two pairs of tie-barred bills that would significantly update requirements for businesses and membership-based services.

**HB 4826** and its Senate counterpart, **SB 535**, would require businesses to clearly present all terms and conditions of automatic renewal agreements in at least 14-point font, including contract length, renewal provisions, total charges, and cancellation processes. Both proposals mandate electronic renewal notices 30–60 days before a contract renews, explicit consent for any renewal beyond 12 months, and recurring reminders every six months that a customer remains enrolled. SB 535 additionally requires a minimum 30-day cancellation window following issuance of a renewal notice. Contracts that do not meet these standards would be considered void and unenforceable.

Companion bills **HB 4827** and **SB 536** would modernize the state's consumer protection law by expanding the definitions of unfair, deceptive, or unconscionable practices. The measures target misleading advertising and pricing, misstatements related to warranties or credit terms, failure to honor cancellation or refund obligations, abuses involving vulnerable consumers, and deceptive environmental marketing claims. They also reaffirm requirements to return deposits or payments after lawful contract cancellations.

Both bill pairs—HB 4826/HB 4827 and SB 535/SB 536—are tie-barred, meaning none of the provisions take effect unless all bills in the pair are enacted. All four measures remain eligible for consideration in the legislature.

## Treatment of Independent Contractors

Michigan lawmakers also considered a proposal to redefine worker-classification standards in 2025. **HB 4322** would adopt a three-part test under which an individual is presumed to be an employee unless they are free from the business's control and direction, perform work outside the payer's usual course

of business, and operate an independently established trade or occupation performing similar services. Businesses that misclassify workers under this framework would be subject to legal penalties. This bill remains eligible for consideration in the legislature.

## Consumer Protection and Membership Practices

The Michigan legislature considered several measures in 2025 aimed at strengthening consumer protections and clarifying obligations for businesses, including fitness facilities.

**SB 134** would amend the Michigan Consumer Protection Act by expanding the definition of "vulnerable citizens" to include

older adults, minors, and individuals with disabilities. The bill also updates the Act's list of prohibited practices—such as false or misleading advertising, deceptive pricing, or misrepresentations about services—and clarifies associated enforcement procedures, penalties, and appeals processes. SB 134 passed the Senate in June and remains eligible for consideration.

## Health and Sanitation Requirements

Introduced in September, **SB 591** would amend Michigan's health club law to clarify that owners, operators, and employees are not legally required to use an AED during an emergency on the premises. This clarification of liability and duty-of-care

standards could help reduce uncertainty for clubs regarding their responsibilities in emergency situations. SB 591 remains eligible for legislative action.

## Geolocation & Biometric Data Collection Restrictions

Michigan lawmakers also considered broader data-privacy legislation in 2025. **SB 359** would establish the Personal Data Privacy Act, applying to businesses that process the personal data of at least 100,000 consumers. The bill creates a series of consumer rights, including the ability to consent to data usage, access and obtain copies of personal data, correct inaccuracies, delete personal information, and opt out of targeted advertising,

data sales, and profiling. It also requires businesses to provide clear and accessible privacy notices when collecting or processing consumer data.

SB 359 passed the Senate Finance, Insurance, and Consumer Protection Committee in June 2025 and remains eligible for consideration in the legislature.

## Advertising & Transparency

Michigan lawmakers also considered a proposal in 2025 affecting digital advertising practices. **HB 4142** would create a new tax on digital advertising services, with rates ranging from 2.5% to 10% depending on a business's global annual revenues. The tax applies

to companies with at least \$100 million in global gross revenue. For fitness facilities that rely on digital advertising to promote memberships and services, the measure could increase marketing costs if enacted. HB 4142 remains eligible for consideration in the legislature.

## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# Minnesota



Fitness Facility Members  
**1.3 Million**

## Legislature Overview

- The legislative session lasts a maximum of 120 days and may not meet in a regular session after the first Monday following the third Saturday in May of any year.
- The legislature convened its 2025 session on January 14 and adjourned on May 19.
- Minnesota lawmakers utilize omnibus bills. An omnibus bill is a large bill generally made up of numerous smaller bills on the same broad topic. For example, an omnibus tax bill may cover various changes in several areas of tax law including income, corporate, and sales taxes. Often, the smaller bills are heard in committee and then laid over for possible inclusion in the omnibus bill rather than passing each bill separately.
- Legislation may carry over from the odd-numbered year to the even-numbered year.

**Governor:** Democratic | **House Control:** Republican | **Senate Control:** Democratic

## 2025 Policy Review

### Consumer Protection and Membership Practice

In 2024, Minnesota lawmakers enacted a measure that required gyms and studios to allow members to cancel their memberships immediately and at any time, without advance notice. While intended to strengthen consumer protections, the policy created significant operational challenges for fitness operators, particularly around billing, staffing, and membership planning.

In 2025, legislators revisited the issue. As part of **SF 4**, fitness facilities can require up to 30 days' notice for membership cancellations, while still permitting immediate cancellation if a facility chooses. Effective July 2025, the change restores operational flexibility for businesses, recognizing that cancellations typically take time to process.

### Geolocation & Biometric Data Collection Restrictions

Minnesota lawmakers considered two proposals in 2025 that would establish new requirements for health and fitness clubs collecting biometric data. **SF 2260** would require clubs that collect customer fingerprints to adopt a written data-retention and destruction policy, specifying that fingerprints must be destroyed once the original purpose is fulfilled or within three years of the customer's last interaction. The policy must be made

available to customers, and the bill would prohibit the sale or disclosure of fingerprint data except pursuant to a subpoena or warrant. It also provides a private right of action, allowing customers to sue clubs that violate the law.

A separate measure, **SF 3270**, would require written customer consent before collecting, processing, or transmitting biometric

identifiers—including fingerprints, genetic information, and data related to physical movements or characteristics. Violations could carry penalties of up to \$25,000 per incident.

Both of these bills failed to advance before the end of the 2025 session but may be considered in 2026.

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## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# Mississippi



Fitness Facility Members  
**550,000**

## Legislature Overview

- The Legislature convenes the Tuesday after the first Monday in January and meets for 90 session days. The Legislature can extend session for 30 days by a two-third vote of both legislative chambers, with no limit on the number of times session can be extended.
- The 2025 session began on January 7 and adjourned April 3.
- Legislation is not eligible for carryover from one session to the next.

Governor: Republican | House Control: Republican | Senate Control: Republican Supermajority

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

Mississippi lawmakers considered several automatic renewal and click-to-cancel proposals during the 2025 session. **HB 75**, introduced in the House, would have required businesses offering recurring subscriptions or memberships to give customers at least 24 hours' notice before recurring charges. The bill did not receive a hearing and failed when the legislature adjourned in April.

A broader proposal, **HB 875**, would have mandated clear disclosure of automatic-renewal terms, advance notice before

renewals, and simple cancellation options—including online cancellation. It also required clear communication of any material contract changes. **HB 875** passed its initial committee but did not advance further before adjournment.

On the Senate side, **SB 2498** would have required renewal notices to be sent 7–21 days before a charge and mandated refunds for unauthorized charges or cancellations within 10 business days. The bill passed the Senate overwhelmingly (50–1) but was not taken up by the House prior to adjournment.

### Fitness-Related Tax Policy

**HB 1** was an appropriation bill introduced during the 2025 legislative session. The fitness industry was successful in removing the provision that would increase sales tax on fitness facilities.

### 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# Missouri



Fitness Facility Members  
**1.3 Million**

## Legislature Overview

- While multiple hearings may be held on a bill, committees will only vote on it during an executive session.
- The legislature convened its 2025 session on January 8 and adjourned on May 15.
- As session concludes, it is common for bills to be amended into each other on the chamber floor, creating large “kitchen sink bills.”
- Legislation does not carry over from one year to the next.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Geolocation & Biometric Data Collection Restrictions

Missouri lawmakers introduced several proposals in 2025 to regulate the collection and handling of biometric identifiers, including fingerprints and eye scans. None of the measures advanced, and all failed at the conclusion of the legislative session.

Two of the proposals—**HB 407** and **HB 500**—would have required businesses possessing biometric data to adopt a written, publicly available policy outlining data retention and destruction practices. They also would have required businesses to notify consumers and obtain consent before collecting biometric information. Both bills failed following engagement from industry advocates,

who raised concerns about broad compliance burdens and unintended impacts on fitness facility operations.

A separate proposal, **SB 448**, sought to shield businesses from liability for unauthorized or negligent disclosure of biometric data if they met certain conditions, including maintaining warning notices, informing the public of how the data is used, adopting a written retention and destruction policy, and protecting biometric information with safeguards equal to those used for other sensitive data. This bill also failed.

## 2026 Outlook

Missouri lawmakers have prefiled two bills in advance of the 2026 session dealing with biometric identifiers. **HB 1970** requires an entity in possession of biometric identifiers to develop a retention schedule, inform consumers, and obtain consent. The bill also prohibits the dissemination of biometric data except

under certain conditions. **SB 1359** provides that an entity in possession of biometric information shall not be liable for damages for unauthorized disclosure if the entity follows certain guidelines, including informing consumers and developing a retention schedule.

# Montana



Fitness Facility Members  
**220,000**

## Legislature Overview

- The legislature only meets during odd numbered years for no more than 90 days.
- Montana introduces a large number of bills, most of which begin as prefiled measures in the interim. However, not all prefiled measures will be formally introduced.
- In 2025, the legislature convened on January 6 and adjourned on April 30.
- Legislation does not carry over to the next session.

Governor: Republican | House Control: Republican | Senate Control: Republican Supermajority

## 2025 Policy Review

### Geolocation & Biometric Data Collection Restrictions

Montana lawmakers considered a broad privacy proposal in 2025 with implications for fitness facilities that collect member data. **SB 453** would have granted individuals full ownership over their personal and geolocation data and defined personal data broadly as any information linked or reasonably linkable to an

identifiable person. The bill also would have required fitness facilities and other businesses storing such data to permanently delete it within a reasonable period following a member's death. The proposal failed upon adjournment of the legislature on April 30 and is ineligible for further consideration.

### Advertising & Transparency

Montana also reviewed legislation related to digital advertising practices. **SB 192** proposed a 10% gross revenue tax on digital advertising services for businesses with at least \$25 million in worldwide annual digital advertising revenue and at least \$1 million in such revenue derived from activity in Montana.

Fitness facilities using digital advertising services could have seen increased marketing costs if the measure had passed. This bill failed upon adjournment of the legislature and is ineligible for further consideration.

## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# Nebraska



Fitness Facility Members  
**460,000**

## Legislature Overview

- Nebraska is the only state with a unicameral legislature, meaning there is only one chamber: the 49-member senate.
- The legislature convened its 2025 session on January 8 and adjourned on June 2.
- The senate is technically nonpartisan, but Republican-affiliated members compose its majority.
- Most legislation is carried over from odd years to even years. Only those marked as “indefinitely postponed” will not carry over.

Governor: Republican | Senate Control: Nonpartisan\*

## 2025 Policy Review

### Geolocation & Biometric Data Collection Restrictions

Nebraska lawmakers considered **LB 204**, a proposal that would establish strict consent and data-handling requirements for businesses collecting biometric identifiers such as eye or fingerprint scans. The bill states that these biometric data belong to the individual and may not be collected or shared without clear written consent, which may be provided electronically but must be concise and written at approximately a seventh-grade reading level. Consent documents would be required to

include conspicuous warnings about data collection and direct questions asking whether the individual consents to the business collecting, possessing, or sharing their biometric data for each specific purpose. LB 204 would also require businesses to adopt a public policy outlining a retention schedule and guidelines for permanently destroying biometric data. The bill did not advance in 2025 but may be considered when the legislature reconvenes in 2026.

## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.



# Nevada



Fitness Facility Members  
**730,000**

## Legislature Overview

- The legislature only meets in regular session during odd-numbered years and will not hold a regular session in 2026.
- The 2025 session was convened on February 3 and adjourned on June 2.
- Legislation does not carry over from one session to the next.

**Governor:** Republican | **Assembly Control:** Democratic Supermajority | **Senate Control:** Democratic

## 2025 Policy Review

No bills or policy proposals introduced during the 2025 legislative session directly targeted health and fitness clubs or related facility operations.

## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# New Hampshire



Fitness Facility Members  
**290,000**

## Legislature Overview

- The session typically lasts five months.
- The 2025 session convened on January 8 and adjourned on June 30.
- The New Hampshire House is the largest body of state lawmakers with 400 members representing approximately 3,300 residents, the smallest state-to-representative ratio in the country.
- Bills referred to a committee or temporarily postponed ("laid on the table") in the House or Senate at the end of a session in an odd-numbered year may be carried over to the following session in the subsequent even-numbered year.

**Governor:** Republican | **House Control:** Republican | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Advertising & Transparency

New Hampshire lawmakers considered **HB 601** in 2025, a proposal that would have prohibited untruthful, deceptive, or misleading environmental marketing claims, including advertisements that misrepresent the environmental impact of a business, product, or service. The bill also would have allowed

individuals or companies to bring legal action against businesses that misstate the environmental effects of their offerings. The bill failed upon adjournment of the legislature on June 30 and is ineligible for further consideration.

## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# New Jersey



Fitness Facility Members  
**2.3 Million**

## Legislature Overview

- As the legislature uses a two-year legislative session, measures may remain dormant for extended periods of time.
- The 2025 session began on January 14, 2025 and will adjourn on January 12, 2026.
- New Jersey has a high bill volume. Some of this is due to lawmakers refiling the same bills year after year that never actually advance through the legislative process. Some of this is due to lawmakers introducing companion measures.
- Legislation may carry over from even to odd years in New Jersey.

**Governor:** Democratic | **House Control:** Democratic Supermajority | **Senate Control:** Democratic

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

Several autorenewal and cancellation bills were introduced in New Jersey during the two-year session that ran from 2024–2025.

New Jersey lawmakers considered several auto-renewal and cancellation proposals during the 2024–2025 session, **AB 3766**, introduced in early 2024, would require businesses to present automatic-renewal terms in a clear and conspicuous manner and provide an acknowledgment containing the terms, cancellation policy, and instructions for terminating the agreement. The bill did not receive consideration. Its Senate companion, **SB 4327**, introduced in May 2025 did not advance.

Another major proposal, **AB 5395**, would require businesses offering subscription services to provide a cancellation option through the same method used to sign up or maintain the service. The bill also prohibits misleading marketing practices and requires clear disclosures. AB 5395 advanced through both

the Assembly and the Senate during the 2024–2025 session but was ultimately vetoed by Governor Phil Murphy (D). Its Senate companion, **SB 3877**, included similar provisions and was amended to require businesses offering online cancellation to include a direct, prominently displayed termination link or button on their website. Because the companion legislation was vetoed, neither bill carries over, and both measures must be reintroduced in a future legislative session to be considered again.

## Liability Waivers

New Jersey lawmakers also considered proposals in 2025 that would limit the enforceability of liability waivers in health club contracts. **AB 5272**, introduced in February 2025, would prohibit health club agreements from restricting liability for injuries caused by a facility's negligence.

The Senate companion, **SB 1481**, introduced in January 2025, advanced further in the process and passed the Senate Commerce Committee by a vote of 5–0 in June 2025. Both bills failed upon adjournment of the legislature in January 2026.

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## Treatment of Independent Contractors

In April 2025, the New Jersey Department of Labor and Workforce Development (NJDOLE) proposed new administrative rules to clarify how the state applies the ABC test for determining independent contractor status. Filed with the Office of Administrative Law, the proposal would codify NJDOLE's interpretation of the test under multiple statutes, including the New Jersey Unemployment Compensation Law, the Wage and Hour Law, and the Wage Payment Law.

The draft rules outline detailed criteria for evaluating each prong of the ABC test, providing employers with clearer guidance on worker classification and helping ensure more consistent compliance across industries, including the fitness sector.

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## Consumer Protection and Membership Practices

**SB 4825** was introduced on November 6, 2025. This bill amends the New Jersey law on health club services contracts to stop a health club from transferring or assigning member contracts to a new owner without each member's written consent. Members must be notified by mail or electronically of the ownership change and transfer date, and consent, either written or electronic, must

be obtained separately and in advance. If the new owner does not obtain consent within 30 days, the contract is automatically canceled unless the member later agrees to the assignment. This bill would only apply to new contracts. The bill has failed upon adjournment of the legislature in January 2026.

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## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# New Mexico



Fitness Facility Members  
**430,000**

## Legislature Overview

- The 2025 session began on January 21 and adjourned on March 22.
- During even-numbered years, the legislature is in session for 30 days, while in odd-numbered years, the legislature yields a 60-day session. Legislation moves quickly given the short legislative session.
- Legislation does not carry over to the next session.

**Governor:** Democratic | **House Control:** Democratic | **Senate Control:** Democratic

## 2025 Policy Review

No bills or policy proposals introduced during the 2025 legislative session directly targeted health and fitness clubs or related facility operations.

## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# New York



Fitness Facility Members  
**5.5 Million**

## Legislature Overview

- The New York Legislature convenes on the Wednesday after the first Monday in January and usually adjourns towards the end of June; however, members can be called back at any time to consider legislation.
- The 2025 session began January 8 and adjourned on June 12.
- New York typically introduces over 10,000 bills during its session. Many of these are refiles from the previous session(s).
- A common method of killing a bill is to amend it by striking the enacting clause.
- Legislation carries over from the odd-numbered year to the even-numbered year. Bills introduced in 2025 will automatically carry over to 2026 without being reintroduced.

**Governor:** Democratic | **House Control:** Democratic Supermajority | **Senate Control:** Democratic

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

New York lawmakers considered several measures in 2025 aimed at strengthening disclosure, cancellation, and notification requirements for health and fitness club memberships. The most prominent proposals, **AB 3928** and **SB 5615**, would require clubs to clearly disclose the price that will be charged once a free gift or trial period ends. If a trial lasts more than 31 days and an automatic renewal or continuous service charge is approaching, clubs must notify members of the cancellation deadline at least three but no more than 21 days beforehand and include instructions on how to cancel before renewal.

The bills also require clubs to allow members to cancel their contracts using the same method in which they enrolled—for example, providing a phone number for phone sign-ups or an online cancellation option for members who joined via the internet. Additionally, the proposals mandate that clubs notify

members 7–30 days before any fee increase takes effect, including information on how to cancel the auto-renewal or service.

These measures have gained notable momentum. AB 3928 passed the Assembly and sits in the Senate Consumer Protection Committee, where SB 5615 has been awaiting action since March. Both remain eligible for consideration when the legislature reconvenes in 2026.

A related proposal, **AB 6823**, would require businesses offering automatic renewal agreements to provide a clear and easily accessible cancellation link on their website. The bill has been referred to the Assembly Consumer Affairs and Protection Committee. The measure failed this session but may be considered in 2026.

## Fitness-Related Tax Policy

New York lawmakers considered targeted sales tax relief for certain fitness providers in 2025. **SB 4712** would exempt athletic club membership dues from state sales tax when the club operates on municipal parkland—such as facilities located in

Central Park, Coney Island, and other parks managed by local parks and recreation departments across the state. The bill failed at the end of the 2025 session but remains eligible for consideration in 2026.

## Treatment of Independent Contractors

New York lawmakers also considered changes to worker-classification standards in 2025. **SB 3487** would classify workers as employees—rather than independent contractors—unless an employer can demonstrate that the individual is free from

the employer's control, performs work outside the employer's usual course of business, and is engaged in an independently established trade or occupation. This measure did not advance and failed this session but may be considered in 2026.

## Consumer Protection and Membership Practices

New York lawmakers considered several consumer-protection measures in 2025 affecting membership terms and the handling of customer financial information. **AB 8638** and **SB 8015** would create an exemption from the state's existing annual membership cost ceiling for all-inclusive, luxury health and fitness clubs offering expanded amenities such as nutrition counseling and spa services. If enacted, the proposals could expand the range of membership models permitted under state law. Neither bill advanced out of committee, but both may be considered in 2026.

Another measure, **SB 4413**, would require businesses to delete a customer's financial information within 14 days of contract cancellation. SB 4413 passed the Senate Consumer Protection Committee by a vote of 5–2 and now sits in the Senate Rules Committee, where it awaits further consideration in 2026.

## Geolocation & Biometric Data Collection Restrictions

New York lawmakers introduced several biometric-privacy and location-data proposals during the 2025 session. Most did not advance and failed upon adjournment, though some remain eligible for consideration in 2026. **AB 6211** would have prohibited health and fitness clubs from collecting fingerprints, handprints, or other identifying physical characteristics without first informing members in writing of the specific purpose and the length of time the data would be retained. The bill also would have required clubs to safeguard this information using a "reasonable standard of care," a term left undefined and potentially ambiguous for operators. The bill died this session but may be considered in 2026.

Multiple Senate proposals focused on establishing data-retention rules and consent requirements. **SB 1422** would have required organizations holding biometric identifiers—such as fingerprints—to adopt a written policy and retention schedule for

destroying that information. The bill passed the Senate Consumer Protection Committee by a vote of 5–1 before stalling in the Senate Internet and Technology Committee. **SB 5156** would have mandated express consent before collecting or using personal biometric data, including fingerprints, palm prints, and health or exercise information. **SB 4276** similarly would have required businesses to create retention schedules and destruction guidelines for fingerprint data and prohibited disclosure without customer request; it applied only to businesses storing more than 500 unique fingerprints. All of these bills failed to advance in 2025 but may be taken up in 2026.

Separately, **AB 8729** would have required businesses to obtain customer consent before collecting or processing geolocation information. The measure died this session without advancing but is eligible for action in 2026.

Finally, **SB 929** would create stringent new privacy protections for health-related data by requiring explicit written consent, narrowing processing permissions, and granting individuals strong rights over their data—obligations that could impact fitness and wellness facilities that collect or use health or biometric

information. The bill was vetoed by Governor Kathy Hochul (D), effectively ending the proposal for the session. Because vetoed legislation does not carry over, the proposal will need to be reintroduced in a future legislative session to be considered again.

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## Advertising & Transparency

New York lawmakers also advanced legislation in 2025 to strengthen total-price advertising standards. **SB 363** would require businesses selling goods or services to disclose the full price in every advertisement or offer. Importantly for fitness facilities, the bill was amended to clarify that health clubs only need to advertise one total price for a single tier of membership without ancillary services, meaning the monthly price, cleaning fee, initiation fee, and annual fee may be reflected as one consolidated total without requiring bundled representations of add-on services.

SB 363 passed the Senate and now sits in the Assembly, where it will be considered in 2026. Its companion measure, **AB 6663**, introduced in March, is pending in the Assembly Consumer Affairs and Protection Committee.

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## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.



# North Carolina



Fitness Facility Members  
**2.5 Million**

## Legislature Overview

- During even-numbered years, the legislature typically convenes in mid-May for a shorter session.
- The 2025 session convened on January 8 and adjourned on December 31.
- Legislation may carry over from an odd-numbered year to even-numbered year.

**Governor:** Democratic | **House Control:** Republican | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

North Carolina lawmakers advanced legislation in 2025 to strengthen disclosure and cancellation requirements for automatic renewal contracts. **HB 188** would require businesses to clearly present automatic-renewal terms within the contract, including notice that the agreement will renew unless the customer terminates it before the renewal date, the length of the initial term and each renewal period, and the amounts that will be charged for both. If contract terms change upon renewal, the disclosure must also explain those changes.

The bill requires businesses to provide at least one cost-effective, timely, and easy-to-use cancellation mechanism—such as an email address, mailing address, or toll-free telephone number. The notice must appear in a different color and be visually offset from surrounding text so that it is clearly identifiable. HB 188 further prohibits any automatic-renewal charge if the customer did not provide consent to the agreement.

HB 188 passed the House unanimously on May 7 and may be taken up by the Senate when the legislature reconvenes in 2026.

### Advertising & Transparency

North Carolina also considered legislation in 2025 aimed at tightening rules around payment disclosures. **HB 13** would prohibit businesses from imposing a credit or debit card surcharge greater than 2% of the transaction amount. The bill also requires any business that advertises acceptance of card

payments and imposes such a fee to clearly disclose the amount of the charge to consumers.

HB 13 passed the House Finance Committee in September and may receive further consideration when the General Assembly reconvenes.

## Health and Sanitation Requirements

This year, the industry advocates helped introduce **SB 144**, a bill that increases the exclusions from what is regulated as a public swimming pool by also excluding public cold baths that (1) are a tub or tank used by the general public one bather at a

time, regardless of whether a fee is charged, (2) contain chilled water at a specified temperature, volume, and depth, and (3) continuously filter and sanitize the chilled water. This measure may be considered when the legislature reconvenes in 2026.

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## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# North Dakota



Fitness Facility Members  
**170,000**

## Legislature Overview

- The legislature only convenes in odd-numbered years, but they remain active during the interim.
- In 2025, the session convened on January 7 and adjourned on May 2. The legislature will not convene in 2026.
- Legislation does not carry over from one session to the next.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

No bills or policy proposals introduced during the 2025 legislative session directly targeted health and fitness clubs or related facility operations.

## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.



Fitness Facility Members  
**2.5 Million**

## Legislature Overview

- Ohio is a year-round Legislature and recesses multiple times throughout the two-year legislative session.
- The 2025 session began on January 6 and adjourned December 31.
- Legislation may carry over from odd-numbered years to even-numbered years.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Fitness-Related Tax Policy

During the 2025 legislative session, industry advocates helped introduce **SB 89**, which authorizes a personal income tax deduction of up to \$1,500 a year for gym memberships and

personal training. The bill was heard in the Senate Ways and Means Committee in March and remains eligible for consideration in 2026.

### Health and Sanitation Requirements

Ohio lawmakers considered new youth-safety restrictions for tanning services in 2025. **SB 25** would prohibit tanning facility employees from allowing individuals under age 16 to use sunlamp tanning equipment. For minors aged 16 or 17, the bill would require a parent or guardian to sign a consent form and remain present for the full duration of the tanning session.

Under Ohio law, tanning facilities include any building—or portion of a building—containing rooms or booths equipped with fluorescent sun lamps or other artificial ultraviolet radiation devices used for tanning skin. The measure may receive further consideration when lawmakers reconvene in 2026

## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# Oklahoma



Fitness Facility Members  
**790,000**

## Legislature Overview

- The 2025 session began on February 3 and adjourned May 30.
- At the beginning of session, the Oklahoma House frequently uses “shell bills.” Shell bills have little or no substantive language and serve as a placeholder for legislative proposals to be amended into the measure at a later date.
- Legislation may carry over from odd-numbered years to even-numbered years.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Advertising and Transparency

Oklahoma lawmakers considered legislation in 2025 to tighten total-price advertising requirements. **SB 986** would make it unlawful for a business to advertise or display a price for services without clearly and prominently showing the full cost, including all mandatory fees. For fitness facilities, this would mean that any advertised membership offer would need to display the total

price more prominently than any promotional or “deal” price.

The bill received two hearings but failed to pass the Senate Business and Insurance Committee before adjournment. SB 986 remains eligible for consideration in 2026.

### Click-to-Cancel and Auto-Renewal Restrictions

Introduced in February, **HB 1851** would have required businesses to provide clear and conspicuous notice of any changes to the terms of an automatic renewal contract, along with information on how customers can cancel the renewal. The bill also established notice requirements for upcoming payments, mandating that businesses notify customers at least 25 but no more than 40 days before the first automatic renewal, and 15 to 45 days before each subsequent renewal.

HB 1851 passed both the House and the Senate but did not become law after the two chambers adopted differing amendments. A conference committee was convened to reconcile those differences but was unable to reach agreement, and the measure ultimately stalled. Because legislation that fails in conference committee does not carry over, the proposal would need to be reintroduced in a future legislative session to receive further consideration.

## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# Oregon



Fitness Facility Members  
**870,000**

## Legislature Overview

- The legislature meets for a long 160-day session during odd-numbered years and for a shorter 35-day session during even-numbered years.
- The legislature convened its 2025 session on January 21 and adjourned on June 27.
- Unlike many state legislatures, Oregon does not amend measures during floor debate.
- Legislation does not carry over from one session to the next.

**Governor:** Democratic | **House Control:** Democratic Supermajority | **Senate Control:** Democratic Supermajority

## 2025 Policy Review

### Advertising & Transparency

In June, Governor Tina Kotek (D) signed **SB 430** into law, establishing new statewide pricing-transparency standards. The law prohibits fitness facilities from advertising prices that exclude mandatory fees or charges, requiring an all-in advertised price. Through advocacy efforts, the industry successfully secured

amendments clarifying that reasonable charges incurred to provide a service, as well as fees based on a purchaser's optional selections, do not need to be included in the advertised total price. The law takes effect on January 1, 2026.

### Liability Waivers

Oregon lawmakers considered legislation in 2025 that would have expanded liability protections for fitness facility operators. **SB 1196** and its House companion, **HB 3140**, sought to shield operators from claims of ordinary negligence arising from

participation in sports, fitness, or recreational activities, as well as from equipment rentals, facility use, or volunteer involvement. Despite bipartisan support, both measures stalled and failed upon adjournment of the legislature.

## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# Pennsylvania



Fitness Facility Members  
**2.8 Million**

## Legislature Overview

- Pennsylvania is a full-time legislature with a two-year session.
- In 2025, the session convened on January 7, 2025 and is scheduled to adjourn on December 31, 2026.
- It is not uncommon for bills to lie dormant for extended periods of time.
- Legislation may carry over from odd-years to even-years.

**Governor:** Democratic | **House Control:** Democrat | **Senate Control:** Republican

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

Pennsylvania lawmakers considered two bills in 2025—**HB 45** and **HB 129**—that would introduce new requirements governing automatic renewal contracts.

HB 45 would require businesses to notify consumers of the existence of an automatic renewal clause prior to entering into a contract. HB 129 proposed additional notification and cancellation procedures for automatic renewal agreements, with

noncompliance treated as a violation of the state's Unfair Trade Practices and Consumer Protection Law. Industry advocates engaged early in the drafting process, working with lawmakers to ensure the proposals ultimately included clear exemptions for fitness facilities. While neither bill advanced in 2025, both remain eligible for consideration in the 2026 legislature.

### Treatment of Independent Contractors

Pennsylvania lawmakers considered a proposal in 2025 to tighten worker-classification standards across all industries. **SB 586** would redefine an independent contractor as someone who meets all three of the following conditions: the individual is free from the business's control and direction when performing services;

is engaged in an independently established occupation, profession, or business; and has a written contract governing the work performed. The bill also outlines penalties for employers who misclassify workers under this framework. SB 586 remains eligible for consideration in the legislature.

## Consumer Protection and Membership Practices

Pennsylvania considered several consumer-protection proposals in 2025. **HB 49** would make non-negotiated terms in standardized membership contracts unenforceable if they are not reasonably related to the services provided, allowing consumers to challenge terms that undermine the value of their membership. The bill remains eligible for consideration.

**HB 989** would extend the existing three-day “cooling-off” period for phone and door-to-door sales to online purchases as well, requiring fitness facilities to offer members up to three days to cancel contracts entered into by phone, online, or in person before full terms take effect. The bill remains eligible for consideration.

Lawmakers also revisited tax incentives for facilities supporting military personnel. **HB 1126**, reintroduced with support from industry advocates, would allow operators to deduct from taxable income the cost of free or discounted memberships provided to active-duty service members or the Pennsylvania National Guard. A similar measure, **SB 655**, offers a corresponding deduction for free memberships provided to qualifying military individuals. Both bills remain eligible in the legislature.

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## Geolocation & Biometric Data Collection Restrictions

Lawmakers also considered new privacy measures in 2025 governing the collection of location and biometric data. **HB 1624** would establish the Location Information Protection Act, making it unlawful for a business to collect an individual’s location data unless it serves an explicit, permissible purpose and the business first obtains consent. The bill requires businesses to provide customers with a location privacy policy before collecting data, mandates that consent expire after one year or when withdrawn, and requires destruction of location information once consent lapses. The measure would apply to fitness facilities that collect location data for check-in or member-usage purposes. HB 1624 remains eligible for consideration.

A companion privacy measure, **HB 596**, would create the Biometric Identifier Signage Act. The proposal requires businesses to post signage at their entrance disclosing the collection of biometric identifiers—including fingerprints, retinal or iris scans, voiceprints, or scans of the hand, face, or other identifying traits—and prohibits selling, leasing, trading, or sharing such information. HB 596 also remains eligible for consideration in the legislature.

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## Personnel & Accessibility Requirements

Pennsylvania lawmakers also considered new safety requirements for facilities with aquatic amenities. **HB 635** would require any health club operating a swimming pool with a water surface area of 1,500 square feet or larger to have at least one certified

lifeguard on duty during all operating hours. Lifeguards would need to hold a current certification from a Department of Health-recognized authority. HB 635 remains eligible for consideration in the legislature.



## Fitness-Related Tax Policy

During the 2025 budget drafting process, Senate leadership considered a proposal within **SB 160** that would have eliminated Pennsylvania's existing sales tax exemption for fitness facilities. Industry stakeholders engaged with lawmakers throughout budget negotiations and successfully urged leadership to remove the proposal before final passage, preserving the exemption for fitness memberships and services.

Lawmakers also continued to advance a positive tax policy initiative aimed at supporting military fitness participation. **SB 1106** and its House companion, **HB 1126**, would establish

the *Pennsylvania Military Fitness Tax Credit*, providing eligible members of the Pennsylvania National Guard, Reserves, and active-duty military personnel with a tax credit of up to \$600 annually. The credit could be used to offset the cost of fitness facility memberships, personal fitness subscription services, or physical fitness equipment. A similar measure, **SB 655**, offers a corresponding deduction for free memberships provided to qualifying military individuals.

While neither bill advanced in 2025, these measures are eligible for consideration in the 2026 legislative session.

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## 2026 Outlook

Senator Joe Picozzi (R) and Representative Joe Hogan (R) both plan to introduce legislation to provide \$1,000 tax credits to offset the costs of fitness facility memberships. These efforts come as the state faces increased obesity rates and debates over how to best respond. Picozzi and Hogan explain that incentivizing people to go to the gym will ultimately benefit all taxpayers by reducing health insurance and Medicaid costs.

# Rhode Island



Fitness Facility Members  
**310,000**

## Legislature Overview

- The legislature convenes the first Tuesday in January every year and typically recesses in late June.
- The 2025 session convened on January 7 and adjourned on June 20.
- Legislation does not carry over from one session to the next.

**Governor:** Democratic | **House Control:** Democratic Supermajority | **Senate Control:** Democratic Supermajority

## 2025 Policy Review

### Treatment of Independent Contractors

Rhode Island lawmakers considered a proposal in 2025 to expand benefit options for independent contractors. **HB 5941** would have created a voluntary portable benefits plan that workers

could carry from job to job without affecting employment-classification determinations. The bill received a hearing and was held for further study before failing upon adjournment.

### Consumer Protection and Membership Practices

Rhode Island also reviewed new requirements for contract changes and automatic payment withdrawals. **HB 5215** would have required health clubs that automatically deduct payments from consumer accounts to stop deductions within 30 days of receiving written notice from the member. The measure also

mandated 60 days' advance written notice of membership rate increases or substantial changes in services. HB 5215 passed the House Corporations Committee but failed upon adjournment following industry advocacy efforts.

### Geolocation & Biometric Data Collection Restrictions

Rhode Island lawmakers considered **HB 6062**, a proposal that would have restricted how businesses collect and use customer location data. The bill would have allowed collection only for a permissible purpose, required businesses to provide individuals with a copy of their location privacy policy in advance, and

mandated customer consent. It also limited businesses from collecting more precise location information than necessary.

HB 6062 received a hearing and was held for further study before ultimately failing to advance.

## Advertising & Transparency

Rhode Island enacted new all-in pricing requirements in 2025. **HB 5247** and its companion bill, **SB 17**, were signed into law by Governor Dan McKee (D) on July 1, establishing that it is a deceptive practice to advertise a price for goods or services

that does not include all mandatory fees or charges. The laws took effect immediately, requiring fitness facilities and other businesses to ensure that any advertised price reflects the full cost to the consumer.

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## Personnel & Accessibility Requirements

Rhode Island also adopted new accessibility standards for public accommodations. **HB 5611** and its companion measure, **SB 387**, were signed into law by Governor Dan McKee (D) on June 13, requiring newly constructed places of public accommodation to install universal changing stations—defined as enclosed facilities

accessible to people of all ages and genders who require assistance with diapering. The new requirement applies to future construction and expands inclusive access for families and caregivers.

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## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# South Carolina



Fitness Facility Members  
**1.2 Million**

## Legislature Overview

- The legislature convened for the 2025 session on January 14 and adjourned on May 8.
- Legislation may carry over from an odd-numbered year to the even-numbered session.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Consumer Protection and Membership Practice

South Carolina lawmakers considered one consumer-protection measure in 2025 affecting fitness facility contracts. **HB 3658** would require facilities offering prepaid or credit contracts lasting at least three months or costing at least \$200 to provide customers with a notice that includes a toll-free phone number

and website for the Department of Consumer Affairs, as well as a statement directing questions or complaints to the Department. HB 3658 remains eligible for consideration when the legislature reconvenes in 2026.

### Personnel & Accessibility Requirements

South Carolina also reviewed several proposals related to employment protections. **HB 3160** would add gender identity and sexual orientation to the list of categories protected under state employment-discrimination law. The bill also clarifies that businesses may not be held liable for regulating traits related to race, color, or national origin if the regulation is necessary to protect health and safety and the employer made good-faith efforts to accommodate the employee.

A related measure, **SB 584**, would prohibit discrimination based on race, color, or national origin, including traits historically associated with those categories such as hair texture, type, length, color, and protected hairstyles (e.g., braids, locs, twists, cornrows, Bantu knots, and afros).

Both HB 3160 and SB 584 are eligible for consideration when the legislature reconvenes in 2026.

## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# South Dakota



Fitness Facility Members  
**160,000**

## Legislature Overview

- South Dakota meets for 40 legislative days during odd-numbered years and 35 legislative days in even-numbered years.
- The 2025 session began January 6 and adjourned April 30.
- Legislation may carry over from odd-numbered years to even-numbered years.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

No bills or policy proposals introduced during the 2025 legislative session directly targeted health and fitness clubs or related facility operations.

## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# Tennessee



Fitness Facility Members  
**1.5 Million**

## Legislature Overview

- The legislature meets for two-year terms that are limited to 90 legislative days, with an organizational session lasting no more than 15 days at the beginning of a term.
- In 2025, the session convened on January 14 and adjourned on April 22.
- Legislation may carry over from odd-numbered years to the following even-numbered year.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

Tennessee lawmakers considered several proposals in 2025 that would expand disclosure, consent, and cancellation requirements for automatic renewal contracts. **SB 302** and its House companion, **HB 420**, would require businesses to clearly disclose automatic renewal terms in membership agreements, explain the price charged after any free trial or promotional period ends, and obtain explicit customer consent before charging a credit or debit card on a recurring basis. The bills also require businesses to provide clear instructions for canceling an automatic renewal or exiting a promotional offer, as well as a separate notice informing customers that their membership will

renew for the selected term. Both measures remain eligible for consideration when the legislature reconvenes in 2026.

Two additional proposals focused specifically on extending cancellation rights. **SB 739** and its companion, **HB 668**, would lengthen the cancellation period for memberships, subscriptions, or services from 30 days to 45 days, requiring fitness facilities to honor cancellation requests within that expanded window. The proposal failed upon adjournment but remains eligible for action in the 2026 session.

### Treatment of Independent Contractors

In April, Governor Bill Lee (R) signed **SB 1337** into law, enacting new voluntary portable benefit options for independent contractors. The measure allows independent contractors to contribute to a portable benefits plan that may include health insurance, income-replacement insurance, life insurance,

retirement benefits, and other customary benefits. The law also permits businesses to make voluntary contributions on behalf of contractors, giving fitness facilities the option to support independent contractors through these benefit plans.

## Advertising & Transparency

Tennessee lawmakers also considered a tax proposal affecting businesses that rely on targeted digital advertising. **SB 270** would impose a 9.5% data transaction privilege tax on annual gross revenue derived from targeted digital ads, applying only to businesses with an assessable base of \$50 million or more.

Revenues collected under the measure would be directed to the state's Universal Pre-K Fund. The House companion, **HB 218**, contains identical provisions. Both bills remain under consideration in the legislature.

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## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.



Fitness Facility Members  
**7.9 Million**

## Legislature Overview

- The legislature only meets in regular session during odd-numbered years, with an active interim between sessions.
- Each legislative session lasts 140 calendar days.
- The 2025 session was convened on January 14 and adjourned on June 2.
- Legislation does not carry over.

Governor: Republican | House Control: Republican | Senate Control: Republican

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

Texas lawmakers briefly considered a proposal in 2025 to strengthen disclosure and cancellation requirements for subscription-based services. **HB 860** and its Senate companion, **SB 838**, would have required businesses to clearly explain

contract terms and cancellation steps, send renewal notices for longer-term agreements, and offer multiple cancellation options, including phone, email, mail, or online. Both bills failed to advance and saw little legislative consideration.

### Fitness-Related Tax Policy

Texas enacted a targeted property tax exemption in 2025. **HB 23**, which took effect in September, exempts certain nonprofits—specifically those promoting agriculture, supporting youth, or providing educational assistance—from paying property taxes

if located in counties with populations of 3.3 million or more. While not directed at the fitness industry, the measure may affect organizations operating community or recreation facilities under qualifying nonprofit umbrellas.

### Consumer Protection and Membership Practices

Lawmakers also considered **HB 3466** and its companion bill, **SB 1007**, which would have exempted services cancellable by members in writing and at any time from the state's cancellation

laws. HB 3466 passed the House by a large margin but ultimately stalled in the Senate and failed upon adjournment of the legislature.



## Health and Sanitation Requirements

**SB 2326** would have required the installation of universal changing facilities in newly constructed or renovated places of public accommodation. The bill did not move forward in 2025.

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## 2026 Outlook

The Texas Legislature does not convene in regular session in 2026. However, lawmakers traditionally maintain a very active interim period. Committees in both chambers will meet throughout 2026 to study priority issues, review agency functions, and prepare policy proposals for consideration when the legislature reconvenes in 2027.



Fitness Facility Members  
**790,000**

## Legislature Overview

- The legislative session begins in mid-January and lasts 60 days.
- In 2025, the session began on January 21 and adjourned on March 7.
- Legislation does not carry over.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Consumer Protection and Membership Practice

In March, Governor Spencer Cox (R) signed **SB 42** into law, strengthening Utah's consumer protection statute. The new law clarifies that prohibited deceptive practices, such as misrepresenting services, advertising refurbished equipment as new, using false reasons for sales or discounts, or refusing to accept non-expiring gift cards, are violations whether they occur

before, during, or after a business transaction. SB 42 also adds a definition of "vulnerable adult," extending protections to older adults and individuals with mental or physical impairments that limit their ability to perform daily activities without assistance. Violations of the statute may result in fines of up to \$2,500 per offense. The law took effect on May 7, 2025.

### 2026 Outlook

**HB 29** was prefiled for the 2026 session and bans hidden fees in consumer transactions. It requires businesses to clearly show all mandatory fees of a good or service when advertising or

displaying the price. This bill will be eligible for consideration when the legislature convenes for the 2026 session.

# Vermont



Fitness Facility Members  
**90,000**

## Legislature Overview

- The 2025 session began on January 8 and adjourned June 17.
- Bill hearings are often held on short notice because Vermont changes its schedule daily. The weekly schedule is posted on Monday and is continually updated throughout the week.
- Legislation may carry over from odd years to even years.

**Governor:** Republican | **House Control:** Democrat | **Senate Control:** Democrat

## 2025 Policy Review

### Geolocation and Biometric Data Collection Restrictions

Vermont lawmakers advanced comprehensive data-privacy proposals in 2025 that would regulate the processing of biometric and geolocation information. **SB 71**, the Vermont Data Privacy and Online Surveillance Act, designates biometric and geolocation data as “sensitive data” and requires businesses to obtain consent before processing it. Biometric data under the bill includes iris or retina scans, fingerprints, facial or hand mapping, vein patterns, and voice prints but excludes digital or physical photographs, audio or video recordings, and any data generated from those types of images. The measure applies to businesses that control or process the personal data of 25,000 or more consumers.

SB 71 received multiple hearings in the Senate Economic Development, Housing and General Affairs Committee, passed the committee on March 14, and passed the full Senate on March 27. It was then referred to the House Commerce and Economic Development Committee, where it received two hearings but stalled after May 28. The House companion, **HB 208**, received an initial hearing on May 1 but was not considered further.

Both bills remain eligible for consideration when the legislature reconvenes in 2026.

## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# Virginia



Fitness Facility Members  
**2.1 Million**

## Legislature Overview

- The 2025 session convened on January 8 and adjourned on February 22.
- Things move quickly in the Virginia General Assembly: Regular sessions are limited to 60 days in even-numbered years and 45 days in odd-numbered years.
- Legislation may carry over from even-numbered years to odd-numbered years.

Governor: Democratic | House Control: Democratic | Senate Control: Democratic

## 2025 Policy Review

### Fitness-Related Tax Policy

In early 2025, Virginia lawmakers considered **HB 1755**, which would have expanded the Retail Sales and Use Tax to include charges for using recreation, fitness, or sports facilities, including membership fees and dues. The bill was removed from the

subcommittee docket by unanimous vote on January 27. HB 1755 officially failed when the General Assembly adjourned in February, avoiding a potential new tax burden on clubs and their members.

### Geolocation and Biometric Data Collection Restrictions

Legislators also examined proposals affecting data privacy. **SB 1023** sought to prohibit businesses from selling customers' precise geolocation information. Although the bill passed the Senate, the House Communications, Technology and

Innovation Subcommittee recommended that it be "laid on the table," effectively halting its progress. SB 1023 formally failed upon adjournment in February, preventing new compliance obligations related to location data.

## Advertising and Transparency

In 2025, the Virginia legislature approved legislation focused on price transparency. **HB 2515** and its companion **SB 1212** were enacted in May and took effect on July 1. The new law requires businesses to clearly and conspicuously disclose the total price of goods or services, including all mandatory fees and surcharges, in any advertisement or display. Despite industry engagement

and a recommendation from Governor Glenn Youngkin (R) in a veto message to exempt health club services, the legislature ultimately declined to carve out the fitness sector. As a result, clubs must now comply with Virginia's full-price advertising requirements.

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## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# Washington



Fitness Facility Members  
**1.8 Million**

## Legislature Overview

- Regular sessions are limited to 105 days during odd-numbered years and 60 days during even-numbered years.
- The 2025 session was convened on January 13 and adjourned on April 27.
- Legislation may carry over from an odd numbered year to an even numbered year. At the end of the odd-year session, all bills in the second chamber are returned to the chamber of origin. At the start of the even-year session, those bills are reintroduced and retained in their present position.

**Governor:** Democratic | **House Control:** Democratic | **Senate Control:** Democratic

## 2025 Policy Review

### Fitness-Related Tax Policy

In 2025, lawmakers considered **SB 5411**, which would have exempted Pilates and gymnastics facilities from the state's business and occupation tax. Industry advocates testified in support of expanding tax relief more broadly, emphasizing that all fitness facilities and not just select segments should receive equal treatment given their public-health contributions. While the proposal would have delivered benefits to part of the industry, SB 5411 ultimately did not advance out of committee this session. The bill may be considered in 2026.

Legislators also examined **HB 1148**, a measure to exempt from sales and use tax the goods and services provided by nonprofit youth athletic facilities. Under the bill, a qualifying facility would need to be primarily used for competitive youth sporting events and operated by a federally tax-exempt organization. HB 1148 received a committee hearing but did not advance, leaving existing tax rules unchanged for nonprofit fitness and athletic providers. The measure failed this session but may be considered in 2026.

## 2026 Outlook

In addition to active bills that are eligible for carryover from the 2025 session, no prefiled legislation has been identified at the time of writing that would further impact the health and fitness industry.

# West Virginia



Fitness Facility Members  
**300,000**

## Legislature Overview

- The session begins on the second Wednesday in January and lasts for 60 consecutive days (although the session can be extended by a two-thirds vote from each chamber).
- The 2025 session convened on January 8 and adjourned on April 12.
- Any bill or joint resolution pending in the House at the adjournment of an odd-numbered session, which has not been rejected, tabled, or postponed indefinitely, is eligible to carry over to the subsequent even-numbered session at the request of the sponsor or cosponsors of the bill or resolution.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

### Click-to-Cancel and Auto-Renewal Restrictions

West Virginia lawmakers considered several measures in 2025 related to autorenewal and cancellation practices. **HB 2851** would establish new requirements for businesses offering automatic renewal or continuous service contracts, including clear presentation of all renewal terms, upfront disclosure of post-trial pricing, and explicit customer consent before charging a credit or debit card. The bill also requires businesses to outline clear cancellation steps and provide advance notice of renewal dates. Although HB 2851 did not advance this year, it remains

eligible for consideration during the 2026 legislative session if requested by the sponsor within 10 days of the session's start.

**HB 3168** also addressed consumer flexibility by requiring businesses to allow account changes—such as adjustments to goods, services, or utilities purchased or maintained online—to be made via phone or mail. This measure failed upon adjournment of the 2025 session.

### Treatment of Independent Contractors

The state legislature considered several proposals in 2025 aimed at redefining or expanding benefits for independent contractors.

**HB 3185** would have adopted a strict “ABC” test to prevent misclassification, requiring that a worker be free from the

employer's control, perform work outside the employer's usual course of business, and operate an independently established trade. Because all three conditions would need to be met to qualify as an independent contractor, the bill posed significant compliance implications for fitness facilities. HB 3185 failed upon adjournment.

**SB 714** would have permitted businesses to voluntarily contribute to portable benefit accounts for independent contractors—covering options such as health insurance, life insurance, and retirement benefits. Contributions could be made directly or through withholding, with the worker's explicit consent. This measure also failed at adjournment.

**HB 2852** takes a different approach, establishing a state-sponsored portable insurance benefit plan for independent contractors and clarifying that participation cannot be used to determine employment classification. The bill outlines the administrative structure for the program and remains eligible for consideration in 2026 if the sponsor requests action within 10 days of the session's start.

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## Geolocation & Biometric Data Collection Restrictions

West Virginia lawmakers also considered new privacy requirements related to personal and geolocation data. **HB 2953** would give consumers the right to request copies of the personal data businesses collect, correct or delete inaccurate information, and learn whether their data has been sold or shared. The

bill requires businesses to provide a clear privacy policy and allows customers to opt out of third-party data sharing, while prohibiting discrimination against individuals who exercise these rights. HB 2953 remains eligible for consideration in 2026 if the sponsor requests action within 10 days of the session's start.

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## Personnel & Accessibility Requirements

Two proposals, **SB 662** and **HB 3340**, would have expanded West Virginia's anti-discrimination laws to include protection against discrimination based on natural hair textures and protective

hairstyles such as locks, twists, braids, and afros. Both measures failed upon adjournment.

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## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.





Fitness Facility Members  
**1.2 Million**

## Legislature Overview

- The odd-numbered year of a regular session lasts the entire year, while the even-numbered year's length varies, as session lengths are not mandated.
- The 2025 session began on January 6 and adjourned March 6.
- Legislation may carry over from odd numbered years to even numbered years.

**Governor:** Democratic | **House Control:** Republican | **Senate Control:** Republican

## 2025 Policy Review

No bills or policy proposals introduced during the 2025 legislative session directly targeted health and fitness clubs or related facility operations.

## 2026 Outlook

At the time of writing, no prefiled legislation has been identified that would directly impact the health and fitness industry.

# Wyoming



Fitness Facility Members  
**110,000**

## Legislature Overview

- During a regular session, the legislature convenes for no more than 60 legislative working days every two years, and no more than 40 legislative days in any year.
- The legislature has an active interim, with legislators bringing policy proposals for committees to study.
- The 2025 session began on January 6 and adjourned March 6.
- Legislation does not carry over.

**Governor:** Republican | **House Control:** Republican Supermajority | **Senate Control:** Republican Supermajority

## 2025 Policy Review

No bills or policy proposals introduced during the 2025 legislative session directly targeted health and fitness clubs or related facility operations.

## 2026 Outlook

In September 2025, **LSO 61** was prefiled for the 2026 legislative session. This legislative proposal requires that a business clearly disclose renewal terms, provide a simple cancellation method, and have written acknowledgements of terms and cancellation policies. Businesses must notify customers of any material changes within 10 days and give advance notice for renewals of six months or longer.

This measure was heard on September 23 in the Select Committee on Blockchain, Financial Technology, and Digital Innovation Technology. The measure was amended and reintroduced into the committee. This measure is eligible for committee referral when the legislature convenes.

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# State by State Compliance Guide

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Alabama	Alaska	Arizona
State Sales Tax on Fitness Facility Memberships	No	No	No The 5.6% state sales tax does not apply to health spa or fitness establishment memberships
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	No	Alaska does not have a state tax.	No
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	Payments made for services rendered by an independent contractor are not wages. An independent contractor must be in a position to suffer a loss or realize a profit as a result of their services.	An independent contractor has an express contract to perform services; is free from direction and control over the means of providing services; incurs most of the expenses; can incur profit and loss from the services; can hire employees to help perform the contracted services; has the appropriate certifications and licenses; and follows IRS requirements by obtaining an employer identification number and filing business income appropriately.	A business that uses the services of an independent contractor may prove the existence of an independent contractor relationship through a written agreement evidencing that the business does not have the authority to supervise or control the actual work of the independent contractor or their employees.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	A health studio that sell contracts before opening must 1) purchase a security bond of at least than \$50,000 or 2) file an irrevocable letter of credit by a surety company or lending institution.	Alaska does not have bonding or escrow requirements.	Arizona does not have bonding or escrow requirements
Stricter-than-Federal Franchise Disclosure Obligations	Alabama does not have stricter-than-federal franchise disclosure obligations.	Alaska does not have stricter-than-federal franchise disclosure obligations.  Alaska has a business opportunity law, but a franchisor who complies with the federal franchise rule is exempt.	Arizona does not have stricter-than-federal franchise disclosure obligations.  Arizona has a business opportunity law, but a franchisor who complies with the federal franchise rule is exempt.

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Arkansas	California	Colorado
State Sales Tax on Fitness Facility Memberships	6.50%	No  The 7.75% state sales tax does not apply to health studio memberships.	No  The 2.90% state sales tax does not apply to health club memberships.
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	No	No	No
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	An independent contractor in Arkansas is someone who does not meet the definition of employee under the federal regulation 26 CFR § 31.3121(d)-1. To be considered an employee under 26 CFR § 31.3121(d)-1, one must be subject to the control or direction of an employer in regards to the means and methods for accomplishing the result of work, not just under an employer's control such that the result is accomplished by no particular mean or method.	The hiring entity has the burden to prove a person 1) is free from control and direction of hiring entity, 2) performs work outside usual course of hiring entity's business, and 3) is customarily engaged in independent work of same nature.	Any individual who performs services for pay is an employee unless the individual is provably free from control and direction in the performance of the service. Freedom from control and direction has several criteria, including setting one's own schedule, receiving pay as a fixed contract rather than a salary, minimal job training requirements, and other criteria.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	Arkansas does not have bonding or escrow requirements.	A health studio that sells contracts before opening must hold funds in a trust account until five days after opening and after refunding customers who cancelled contracts. A health studio may use the funds to the extent the amount is offset by a bond.  A health studio does not need hold funds in a trust account if the seller is operating at least five health studios in California that have been operating for at least five years and whose current assets exceed current liabilities by \$1,000,000 or more.	A health club that sells contracts before opening must escrow the funds or provide a cash bond, letter of credit, certificate of deposit, or other similar surety in the amount of \$50,000.
Stricter-than-Federal Franchise Disclosure Obligations	Arkansas does not have stricter-than-federal franchise disclosure obligations.  Arkansas has the Arkansas Franchise Practices Act. The Act does not require a franchisor to take any actions before entering into an agreement with a franchisee.	California has stricter-than-federal franchise disclosure obligations.  California requires state registration, and California has state-specific disclosure obligations.	Colorado does not have stricter-than-federal franchise disclosure obligations.

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Connecticut	Delaware	District of Columbia
State Sales Tax on Fitness Facility Memberships	6.35%	No Delaware does not have a state sales tax.	6.50%
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	No	Delaware does not have a state sales tax.	Yes
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	Connecticut does not describe how to classify workers as employees or independent contractors in statutes or regulations. Connecticut uses the ABC Test. Under the ABC Test, a worker is presumed to be an employee unless: A) The individual is free from direction and control; B) The individual customarily is customarily engaged in an independent business of the same nature as that involved in the work; and C) The work is outside the usual course of business of the person for whom it is performed OR the work is performed outside any place of business of the person for whom it is performed.	Delaware does not describe how to classify workers as employees or independent contractors in statutes or regulations, except for workers in construction services. The Department of Labor website states that the criteria for independent contractor status are: 1) The individual who performs the work is free from control and direction over its performance both in fact and under the contract; 2) The individual customarily is engaged in an independent business or occupation of the same nature as that involved in the work; and 3) The work is: (a) outside the usual course of business of the person for whom the work is performed, or (b) performed outside any place of business of the person for whom the work is performed.	An independent contractor is defined as an individual who performs the work is free from control and direction over the performance of services; is customarily engaged in an independently established trade, occupation, profession, or business; and the work is outside of the usual course of business of the employer for whom the work is performed.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	The authorizing statute regulating personal fitness trainer certification and/or licensing was repealed in 2024.
Bonding/Escrow Requirements	Health club that receives a license, shall pay a fee of \$500 annually to the Connecticut Health Club Guaranty Fund. Health clubs that have been prohibited from making payments to the Fund shall furnish the Commissioner with a guaranty bond in a sum equal to \$125,000.	A health spa must maintain a bond or letter of credit of \$50,000. The state will give consent to terminate the bond or letter of credit within 30 days after receiving the health spa's application.	A health spa must maintain a bond, letter of credit, or cash of \$25,000.
Stricter-than-Federal Franchise Disclosure Obligations	Connecticut does not have stricter-than-federal franchise disclosure obligations  Connecticut has the Connecticut Business Opportunity Investment Act, and Connecticut requires state registration. A franchisor may file the federal financial disclosure document.	Delaware does not have stricter-than-federal franchise disclosure obligations.  The Delaware franchise security law does have disclosure obligations.	The District of Columbia does not have stricter-than-federal franchise disclosure obligations.

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Florida	Georgia	Hawaii
State Sales Tax on Fitness Facility Memberships	6.00%	4.00%	4.00%
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	No	Yes	No
Property Tax on Publicly Funded Facilities	No	Yes	No
Treatment of Independent Contractors	An employee does not include an independent contractor who is not engaged in the construction industry. An independent contractor must meet four of the following criteria: 1) Maintains a separate business with their own work facility, truck equipment, materials, or similar accommodations; 2) Hold or has applied for a federal employer identification number unless they are a sole proprietor; 3) Receives compensation for services rendered or work performed and such compensation is paid to a business instead of an individual; 4) Holds one or more bank accounts in the name of the business entity for purposes of paying business expenses or other related expenses; 5) Performs work or is able to perform work for an entity in addition to or besides the employer at their own election without needing to complete an employment application or process; and 6) Receives compensation for work or services rendered on a competitive-bid basis or completion of a task or a set of tasks defined by a contractual agreement.	An independent contractor is free from control or direction over the performance of services, is not prohibited from working for other companies or holding other employment contemporaneously, is free to accept or reject work assignments without consequence, is not prescribed minimum hours to work, has discretion to set their own work schedule, receives only minimal instructions and no direct oversight or supervision regarding the services to be performed, has no territorial or geographic restrictions, and is not required to perform, behave, or act in a manner related to the performance of services for wages.	An individual is not an employee if the individual has been and will continue to be free from control or direction over the performance of such service, the service is either outside the usual course of the business for which the service is performed, and is customarily engaged in an independently established trade, occupation, profession, or business of the same nature as that involved in the contract of service.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	A health studio must maintain a bond, letter of credit, or certificate of deposit of \$25,000.	Georgia requires funds to be deposited in a single bank account or trust for deposits to be held in until release is authorized by the Attorney General.	All moneys received by a health club prior to the health club being fully operative must be placed in an escrow account
Stricter-than-Federal Franchise Disclosure Obligations	Florida does not have stricter-than-federal franchise disclosure obligations.  Florida has a Sale of Business Opportunity Act. A franchisor is exempt if the franchise meets federal requirements and the franchisor files a Franchise Exemption Application.	Georgia does not have stricter-than-federal franchise disclosure obligations.	Hawaii does not have stricter-than-federal franchise disclosure obligations.  Hawaii has the Franchise Investment Law. A franchisor files the federal franchise disclosure document.

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Idaho	Illinois	Indiana
State Sales Tax on Fitness Facility Memberships	6.00%	6.25%	7.00%
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	Yes	Yes	Yes
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	Independent contractors are defined as a person who renders service for a specified recompense for a specified result, under the right to control or actual control of his principal as to the result of his work only and not as to the means by which such result is accomplished.	A freelance worker is a person who is hired or retained as an independent contractor by a contracting entity to provide products or services in the state or by a contracting entity located in the state in exchange for an amount equal to or greater than \$500. Independent contractors must be paid on or before the date the compensation is due under contract terms. If contracts do not specify, compensation is due no later than 30 days after the completion of the contractor's services. Contracting entities must retain the contract for the service for no less than 2 years.	A person is an independent contractor if the person is an independent contractor under the guidelines of the US IRS.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	Idaho does not have bonding or escrow requirements.	Moneys received by a physical fitness center pursuant to contracts for services prior to the full operation of such center must be placed in escrow.	Health spas contracting for services at a facility under construction or planned must file a surety bond of \$25,000 or more.
Stricter-than-Federal Franchise Disclosure Obligations	Idaho does not have stricter-than-federal franchise disclosure obligations.	Illinois has stricter-than-federal franchise disclosure obligations.	Indiana has stricter-than-federal franchise disclosure obligations.



# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Iowa	Kansas	Kentucky
State Sales Tax on Fitness Facility Memberships	6.00%	6.50%	6.00%
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	Yes	No	No
Property Tax on Publicly Funded Facilities	No	No	Yes
Treatment of Independent Contractors	An independent contractor is free from control of the means and methods from accomplishing the work, undertakes the performance of a specific job, can make a profit or loss, and is paid one sum for the entire work.	Kansas does not classify independent contractors in statute. The state Department of Labor refers to federal law to make that classification.	According to the Education and Labor Cabinet, the Kentucky Supreme Court developed a test to determine whether a person is an employee or an independent contractor. The test includes the following considerations: the permanency of the relationship between the parties, the degree of skill required for rendering the service, the worker's investment in equipment or materials for the task, the worker's opportunity for profit or loss depending upon their skill, the degree of the alleged employer's right to control the manner in which the work is performed, and whether the service rendered is an integral part of the alleged employer's business.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	Physical exercise clubs that accept prepayments must deposit all of the funds received as prepayments in an escrow account established with a financial institution whose accounts are insured by the federal deposit insurance corporation, the national credit union administration, or the federal savings and loan insurance corporation. In lieu of establishing the escrow account, a physical exercise club may post a \$150,000 bond with the office of the attorney general.	Kansas does not have bonding or escrow requirements.	A health spa must maintain a surety bond of \$10,000 to \$50,000 depending on the number of contracts.
Stricter-than-Federal Franchise Disclosure Obligations	Iowa does not have stricter-than-federal franchise disclosure obligations	Kansas does not have stricter-than-federal franchise disclosure obligations.	Kentucky does not have stricter-than-federal franchise disclosure obligations.  Kentucky has the Kentucky Business Opportunity Act. A franchisor is exempt if the franchisor meets federal requirements and files an Affidavit of Business Opportunity Exemption and copy of the Federal Franchise Disclosure Document.

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Louisiana	Maine	Maryland
State Sales Tax on Fitness Facility Memberships	4.45%	5.50%	No  The 6.00% state sales tax does not apply to health club memberships.
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	No	No	No
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	An independent contractor is defined as an individual who is receiving compensation for services rendered to or on behalf of the employer in accordance with a contract between such individual and the employer.	For an individual to be considered an independent contractor, the individual must have the essential right to control the means and progress of the work except the final result, be customarily engaged in an independently established trade, occupation, profession, or business, have the opportunity for profit and loss as a result of the services being performed for the other individual or entity, hire and pay the individual's assistants if any and to the extent such assistants are employees supervise the details of the assistant's work, and makes the individual's services available to some client or customer community even if the individual's right to do so is voluntarily not exercised or is temporarily restricted.	Maryland does not describe how to classify workers as employees or independent contractors in statutes or regulations, except for workers in construction and landscape services. Maryland uses the ABC Test. Under the ABC Test, a worker is presumed to be an employee unless: A) The individual is free from direction and control; B) The individual customarily is customarily engaged in an independent business of the same nature as that involved in the work; and C) The work is outside the usual course of business of the person for whom it is performed OR the work is performed outside any place of business of the person for whom it is performed.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	A physical fitness center that enters into prepaid or credit contracts for services over one month's duration must maintain a surety bond of \$25,000.	Maine does not have bonding or escrow requirements.	A health club must maintain a bond, letter of credit, or cash of \$50,000 to \$200,000.
Stricter-than-Federal Franchise Disclosure Obligations	Louisiana does not have stricter-than-federal franchise disclosure obligations.	Maine does not have does not have stricter-than-federal franchise disclosure obligations.	Maryland has stricter-than-federal franchise disclosure obligations.  The Maryland Franchise Law requires state registration, and Maryland has state-specific disclosure obligations.

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Massachusetts	Michigan	Minnesota
State Sales Tax on Fitness Facility Memberships	6.25%	6.00%	6.88%
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	No	Yes	No
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	Independent contractors are free from control and direction in connection with the performance of the service, including if the service is performed outside the usual course of the business of the employer, and are customarily engaged in an independently established trade, occupation, profession, or business of the same nature as that involved in the service performed.	Services are considered as employment if the services are performed by an individual who the agency determines to be in an employer-employee relationship using the 20-factor-test announced by the IRS.	An independent contractor can be determined using the following criteria: the degree of control the purported employer exerts over the manner and method of performing the work contracted, authority over assistants, compliance with instructions, oral or written reports, place of work, personal performance, existence of continuing relationship, set hours of work, training, amount of time, simultaneous contracts, tools and materials, expense reimbursement, and satisfying requirements of regulatory and licensing agencies.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	Every seller which sells contracts for health club services except weight loss and control services that do not provide physical exercise facilities and classes, do not obligate the customer for more than 30 days, and do not require an initiation fee as a contract condition must maintain a bond of \$25,000 for locations/facilities selling contracts for terms not greater than 24 months or \$100,000 for each location/facility that sells contracts greater than 24 months but not greater than 36 months.	Michigan does not have bonding or escrow requirements.	Each club must maintain a surety bond issued by a surety company admitted to do business in the state in an amount not less than the aggregate value of outstanding liabilities to members. A copy of the bond must be filed with the Attorney General.
Stricter-than-Federal Franchise Disclosure Obligations	Massachusetts does not have stricter-than-federal franchise disclosure obligations.	Michigan has stricter-than-federal franchise disclosure obligations.	Minnesota has stricter-than-federal franchise disclosure obligations.

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Mississippi	Missouri	Montana
State Sales Tax on Fitness Facility Memberships	7.00%	4.225%	No Montana does not have a state sales tax.
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	No	Yes	Montana does not have a state sales tax.
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	Independent contractors are determined by the Mississippi Department of Employment Security if the individual has been and will continue to be free from control and direction over the performance of services under their contract of service. According to the Department's website the following criteria are used: extent of control, nature of business, furnishing tools, materials and place of work, period of employment, method of payment, and relationship of worker to firm.	The Department of Employment Security applies the twenty-factor test developed by the IRS to determine whether workers are employees or independent contractors.	A person who regularly and customarily performs services at a location other than the person's own fixed business location shall apply for an independent contractor exemption certificate unless the person has elected to be bound personally and individually
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	A health spa must maintain a surety bond of \$25,000. The bond must be filed with the Office of the State Treasurer.	A health spa must maintain a bond or letter of credit of \$10,000, \$20,000, or \$25,000 depending on the number of unexpired contracts exceeding three months.	Montana does not have bonding or escrow requirements.
Stricter-than-Federal Franchise Disclosure Obligations	Mississippi does not have stricter-than-federal franchise disclosure obligations.	Missouri does not have stricter-than-federal franchise disclosure obligations.  Missouri does not require state registration or filing.	Montana does not have stricter-than-federal franchise disclosure obligations.

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Nebraska	Nevada	New Hampshire
State Sales Tax on Fitness Facility Memberships	5.50%	2.00%	No New Hampshire does not have a state sales tax.
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	Yes	No	New Hampshire does not have a state sales tax.
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	Nebraska statutes and regulations do not classify workers, except for workers in the construction and delivery services industry. Nebraska uses a common-law test to determine whether workers are employees or independent contractors.	Independent contractors are determined by if the person has or applied for an employer identification number or SSN or filed an income tax return for a business or earnings from self-employment with the IRS in the previous year, is required by contract to hold any necessary state or local business license and maintain any necessary occupational license, insurance, or bonding to operate in the state, and if the person satisfies three or more of the following criteria: 1) The person has control and discretion over the means and manner of the performance of any work and the result of the work, 2) The person has control over the time the work is performed, 3) The person is not required to work exclusively for one principal, 4) The person is free to hire employees to assist with the work, and 5) The person contributes a substantial investment of capital in the business of the person.	
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	Nebraska does not have bonding or escrow requirements.	A health club must maintain a bond or letter of credit of \$10,000, \$15,000, \$20,000, \$25,000, \$35,000, \$50,000, \$100,000, or \$250,000 depending on the number of members and whether the health club conducts and pre-sale of the use of facilities or services.	A health club must maintain a surety bond of \$50,000 or the equivalent in cash, marketable securities, letters of credit, or escrow accounts. A health club is exempt from the bonding requirement if it 1) provides the attorney general with a statement that the club accepts membership fees on a monthly basis only or 2) establishes that its membership refund liability does not exceed \$5,000.
Stricter-than-Federal Franchise Disclosure Obligations	Nebraska does not have stricter-than-federal disclosure obligations.  Nebraska has a Seller-Assisted Marketing Plan Act. A franchisor is exempt if the franchisor meets federal requirements and files a Nebraska Franchise Notice of Exemption.	Nevada does not have stricter-than-federal franchise disclosure obligations.	New Hampshire does not have stricter-than-federal franchise disclosure obligations

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	New Jersey	New Mexico	New York
State Sales Tax on Fitness Facility Memberships	6.625%	4.78%	No  The 4.00 % state sales tax does not apply to health club memberships.
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	No	No	No
Property Tax on Publicly Funded Facilities	No	Yes	No
Treatment of Independent Contractors	New Jersey has proposed a new rules chapter, N.J. Admin. Code § 12:11, that incorporates the ABC test for determining who qualifies as an independent contractor. The ABC test has already been enforced by New Jersey courts.	Independent contractors are free from direction and control over the means and manners of providing the labor or services subject only to the right of the person for whom the labor or services are provided to specify the desired results, responsible for obtaining business registrations or licenses required by state law or local ordinance, furnish the tools or equipment necessary to provide labor or services, have the authority to hire and fire employees to perform the labor or services. Payment is made upon completion of the performance of specific portions of a project or is made on the basis of a periodic retainer and an independent contractor represents to the public that the labor or services are to be provided by an independently established business.	Independent contractor are defined as a "freelance worker". A free lance worker is defined as any natural person or organization composed of no more than one natural person that is hired or retained as an independent contractor by a hiring party to provide services in exchange for an amount equal to or greater than \$800, either by itself or when aggregated with all contracts for services between the same hiring party and freelance worker during the immediately preceding 180 days.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	A health club facility must maintain a bond, a letter of credit, moneys, or other security acceptable to the Director of Consumer Affairs. Before opening, the principal sum must be \$50,000. Otherwise, the principal sum must be 10 percent of the health club's gross income for health club services during the club's last fiscal year, except that the principal sum must between \$25,000 and \$50,000.	New Mexico does not have bonding or escrow requirements.	A health club that sells contracts before opening must maintain an escrow account for all moneys received for the contracts.
Stricter-than-Federal Franchise Disclosure Obligations	New Jersey does not have stricter-than-federal franchise disclosure obligations.  New Jersey does not have state registration or filing requirements, but New Jersey requires notice to cancel or terminate a franchise.	New Mexico does not have stricter-than-federal franchise disclosure obligations.	New York has stricter-than-federal franchise disclosure obligations.

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	North Carolina	North Dakota	Ohio
State Sales Tax on Fitness Facility Memberships	No The 4.75% tax rates does not apply to gym memberships.	No	5.75%
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	No	No	Yes
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	The definition of employment in North Carolina is based on how the term is defined by the IRS. Employment excludes services performed by an independent contractor. An independent contractor is an individual who contracts to do work for a person and is not subject to that person's control or direction with respect to the manner in which the details of the work are to be performed or what the individual must do as the work progresses.	North Dakota does not clearly classify independent contractors in statute, except for those working in construction services.	Ohio does not have any statutes or regulations pertaining explicitly to independent contractors like personal trainers.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	A health club must maintain a surety bond in an amount equal to the aggregate value of outstanding liabilities to buyers or \$10,000, whichever is greater.	North Dakota does not have bonding or escrow requirements.	A health spa that sells contracts before opening must maintain a surety bond no smaller than \$10,000. The seller only must maintain the bond until 24 months after the facility opens.
Stricter-than-Federal Franchise Disclosure Obligations	North Carolina has stricter-than-federal franchise disclosure obligations.  North Carolina has a business opportunity law. North Carolina requires state filing, and North Carolina has state-specific disclosure obligations.	North Dakota has stricter-than-federal franchise disclosure obligations.  North Dakota has the Franchise Investment Law. North Dakota requires state registration.	Ohio does not have stricter-than-federal franchise disclosure obligations.

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Oklahoma	Oregon	Pennsylvania
State Sales Tax on Fitness Facility Memberships	4.50%	No Oregon does not have a state sales tax.	No The 6.00% state sales tax does not apply to health club memberships.
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	Yes	Oregon does not have a state sales tax.	No
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	Oklahoma does not have any statutes or regulations pertaining explicitly to independent contractors like personal trainers.	Under Or. Rev. Stat. § 670.600, an individual is considered an independent contractor if they are free from direction and control by someone else over what services they provide and how they provide said services.	Pennsylvania does not have any statutes or regulations pertaining explicitly to independent contractors like personal trainers.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	A health spa that sells contracts before opening must deposit all presale funds in an account until the health spa has been open for 60 days and the Administrator authorizes the release of funds.	A health spa that sells contracts before opening must hold all moneys in a trust account. All sums received by the health spa in excess of standard monthly dues must be placed in escrow if the spa is not operational or is promising future construction or improvements.	A health club must maintain a corporate surety bond or a letter of credit of \$25,000 to \$200,000 depending on the duration and number of contracts.
Stricter-than-Federal Franchise Disclosure Obligations	Oklahoma does not have stricter-than-federal franchise disclosure obligations.	Oregon does not have stricter-than-federal franchise disclosure obligations.	Pennsylvania does not have stricter-than-federal franchise disclosure obligations.



# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Rhode Island	South Carolina	South Dakota
State Sales Tax on Fitness Facility Memberships	No The 7.00% state sales tax does not apply to health club memberships.	No The 5.00% state sales tax does not apply to physical fitness center memberships.	4.20%
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	No	No	Yes
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	Rhode Island does not have any statutes or regulations pertaining explicitly to independent contractors like personal trainers.	An employer-employee relationship is determined by the common law test which focuses on whether the employer has the right to control the worker in the performance of their work. The following factors are considered: 1) Whether the employer has the right to control or exercises control over the services performed for the job; 2) Whether the employer furnishes the equipment; 3) Whether the method of payment indicates an employment relationship; and 4) Whether the employer has the right to terminate the employment relationship.	An independent contractor is defined as an individual that has been and will continue to be free from control or direction over the performance of the service, and is customarily engaged in an independently established trade, occupation, profession, or business.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	A health club must maintain a surety bond of \$10,000 to \$30,000 depending on size.	A center that sells contracts for physical fitness services of over 3 months or over \$200 must maintain a surety bond in a sum to be determined by the Administrator based on the estimated future costs to service contracts sold but not to exceed \$50,000.	South Dakota does not have bonding or escrow requirements.
Stricter-than-Federal Franchise Disclosure Obligations	Rhode Island has stricter-than-federal franchise disclosure obligations.	At least 48 hours prior to when a purchaser signs a business opportunity contract or receipt of any consideration by the seller, whichever occurs first, the seller must provide the prospective purchaser with a written document stating disclosures required by South Carolina law.	South Dakota does not have stricter-than-federal franchise disclosure obligations.

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Tennessee	Texas	Utah
State Sales Tax on Fitness Facility Memberships	No The 7.00% state sales tax does not apply to health club memberships.	6.25%	4.85%
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	No	No	Yes
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	Tennessee uses the Internal Revenue Service's Twenty-Factor Test for determining whether someone is an employee or an independent contractor. Factors include whether: a) the employer provides job training; b) the worker can choose their own work hours; c) payment is by straight commission; d) the worker can realize profit or suffer loss; and e) the worker can work for more than one firm at a time.	Texas does not have any statutes or regulations pertaining explicitly to the treatment of independent contractors.	Independent contractors are determined based on information by the employer, worker, and other available sources. If determined that the worker is an independent contractor and the worker's services for an employer are exempt from coverage, earnings from those services for that employer are excluded from the claimant's monetary determination.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	A health club must maintain a bond of \$25,000 for 2 years after the health club location ceases operation. Alternatively, a health club may maintain a current audited financial statement demonstrating that either the health club or the health club operator has a financial net worth of at least \$10,000,000.	A health spa must maintain a bond or other security of \$20,000 to \$50,000.	A health spa must maintain a bond, letter of credit, or certificate of deposit of \$5,000 to \$75,000 depending on the number of contracts.
Stricter-than-Federal Franchise Disclosure Obligations	Tennessee does not have stricter-than-federal franchise disclosure obligations.	Texas does not have stricter-than-federal franchise disclosure obligations.  Texas has the Business Opportunity Act. A franchisor who complies with the federal requirements may file for an exemption.	Utah does not have stricter-than-federal disclosure requirements.  Utah has the Business Opportunity Disclosure Act. A franchisor who complied with the federal requirements may file for an exemption.

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	Vermont	Virginia	Washington
State Sales Tax on Fitness Facility Memberships	6.00%	No  The 4.30% state and 1.00% mandatory local sales tax do not apply to health club memberships.	6.50%
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	Yes	No	Yes
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	Independent contractors include individuals that have been and will continue to be free from control or direction over the performance of the services under the individual's contract of service and in fact, perform service outside the usual course of the business for which the service is performed or if the service is performed outside of all the places of business of the enterprise for which the service is performed, and is customarily engaged in an independently established trade, occupation, profession, or business.	Virginia incorporates by reference the federal IRS guidelines for determining who a federal contractor is	Washington defines an independent contractor as an individual free from control or directions of a service that is either outside the usual course of business or the service is performed outside all of the places of business of the enterprise for which the service is performed.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	Vermont does not have bonding or escrow requirements.	A health club that sells contracts and accepts fees in designated amounts before opening must maintain a bond or a letter of credit of \$10,000 to \$100,000 depending on the number of contracts.	A health studio that sells contracts before opening must maintain a trust account or surety bond in the amount of \$150,000.
Stricter-than-Federal Franchise Disclosure Obligations	Vermont does not have stricter-than-federal franchise disclosure obligations.	Virginia has stricter-than-federal franchise disclosure obligations.  Virginia requires state registration, and Virginia has state-specific disclosure obligations.	Washington has stricter-than-federal financial disclosure obligations.  Washington requires state registration, and Washington has state-specific disclosure obligations.

# State By State Compliance Guide

## Tax, Employment and Franchise Requirements

	West Virginia	Wisconsin	Wyoming
State Sales Tax on Fitness Facility Memberships	6.00%	5.00%	No  The 4.00% state sales tax does not apply to fitness facility memberships.
Does the State Sales Tax Apply to Non-profit Fitness Memberships?	No	Yes	No
Property Tax on Publicly Funded Facilities	No	No	No
Treatment of Independent Contractors	Trainers are generally independent contractors provided that a) they sign a contract that explicitly classifies them as such and b) the contract does not heavily restrict their ability to choose their hours and seek simultaneous employment elsewhere.	An independent contractor is defined as an individual that maintains a separate business; holds or has applied for a federal employer identification number with the IRS; operates under contracts to perform specific work/ services while controlling the means of performing the work; incurs the main expenses; is responsible for the completion of the work; receives compensation on a per job basis; may realize profit or suffer loss on contract; and has continuing or recurring business liabilities or obligations.	Independent contractors are defined as an individual who performs services for another individual or entity and is free from control and direction, represents their services to the public as self-employed, and may substitute another person to perform their services.
State mandates for fitness instructors or personal trainers to hold specific licenses or certifications	None	None	None
Bonding/Escrow Requirements	A health spa must maintain a surety bond or letter of credit \$50,000, or the equivalent in cash or marketable securities, with the Attorney General. This is not required if a health spa charges an application fee, initiation fee, or other initial charge no higher than \$25 and either 1) limits its contracts to no longer than 3 months or 2) agrees to require advance payment of no more than one-third of the full purchase price of contracts longer than 3 months.	A fitness center must maintain an escrow account for all amounts received from buyers in advance of the receipt of services or maintain a bond of \$25,000 or more.	Wyoming does not have bonding or escrow requirements.
Stricter-than-Federal Franchise Disclosure Obligations	West Virginia does not have stricter-than-federal franchise disclosure obligations.	Wisconsin has stricter-than-federal franchise disclosure obligations.  The Wisconsin Franchise Investment Law requires state registration.	Wyoming does not have stricter-than-federal franchise disclosure obligations.

# State By State Compliance Guide

## Consumer Protection

	Alabama
Click to Cancel	A business that makes an automatic renewal offer or continuous service offer must provide a cost-effective, timely, and easy-to-use mechanism for cancellation. A business that allows a consumer to accept an automatic renewal or continuous service online must allow that consumer to terminate the automatic renewal or continuous offer exclusively online which may include a termination e-mail formatted and provided by the business that a consumer can send to the business without additional information. These options may be interpreted as click to cancel.
Automatic Renewal Restrictions	The automatic renewal offer terms must be presented in a clear and conspicuous manner before the subscription or purchase agreement is fulfilled and in visual proximity, or in the case of an offer conveyed by voice, in temporal proximity, to the request for consent to the offer.
Liability Waiver Ban	Alabama does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	A business must obtain the consumer's affirmative consent to the purchase agreement with the automatic renewal offer terms including the terms of an automatic renewal offer made at a promotional or discounted price for a limited period of time, before charging the consumer's credit or debit card, or the consumer's account with a third party.
Immediate Cancellation or Immediate Halting Charges Language	Alabama does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	If an offer includes a free gift or trial, the offer must include a clear and conspicuous explanation of the price that will be charged after the trial ends. The business must disclose how to cancel and allow the consumer to cancel before the consumer pays for the goods or service.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Alabama does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A written notice must be mailed or delivered to the health studio.
Compliance with Auto-Expire Provisions	Alabama does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract within three days, exclusive of holidays and weekends, of its making.
Price Transparency and Total Price Advertising Requirements	Alabama does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Alaska
Click to Cancel	Alaska does not have click to cancel requirements.
Automatic Renewal Restrictions	An opt-out marketing plan must receive affirmative consent from a customer to the plan and must notify a customer of the future charges, terms, and steps to avoid further charges.
Liability Waiver Ban	Alaska does not have a liability waiver ban in statutes or regulations.
Refund Timelines	Alaska does not have a specific refund timeline.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	An opt-out marketing plan must receive affirmative consent from a customer to the plan and must notify a customer of the future charges, terms, and with a steps to avoid further charges.
Immediate Cancellation or Immediate Halting Charges Language	Alaska does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Alaska requires a seller to 1) clearly and conspicuously disclose all material terms and conditions of the trial period, 2) obtain express verifiable consent for the free trial period, and 3) allow a customer to cancel services during the free trial period or within 30 days after the free trial period ends.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Alaska does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Alaska does not have required cancellation methods.
Compliance with Auto-Expire Provisions	Alaska does not have auto-expire provisions.
Cooling-Off Period	Alaska does not have a cooling-off period.
Price Transparency and Total Price Advertising Requirements	Alaska does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Arkansas
Click to Cancel	Arkansas requires that if a notice regarding automatic renewal or continuous service is sent electronically, the notice must include 1) a link that directs the customer to the cancellation process or 2) another reasonably accessible electronic method that directs the customer to the cancellation process if a link is not available.
Automatic Renewal Restrictions	An automatic renewal contract offer must present the offer terms in a clear and conspicuous manner. In addition, before charging the contract buyer a renewal fee, the buyer must receive a notice warning them of the upcoming renewal.
Liability Waiver Ban	Arkansas does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 day of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Arkansas does not have disclosure or affirmative consent provisions for monthly or annual membership.
Immediate Cancellation or Immediate Halting Charges Language	Arkansas does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Arkansas requires a seller 1) provide a clear and conspicuous explanation of the price that will be charged after the free trial ends or the manner in which the pricing will change upon conclusion of the free trial and 2) disclose how to cancel and allow the consumer to cancel before the consumer pays for the goods or services. For a trial period lasting more than 31 days, a seller must provide a notice at least 3 days before and at most 21 days before the end of the trial period.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Arkansas does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A business must provide one or more methods by which a consumer can cancel a contract. The methods include by toll-free telephone number, an email address, or a postal address. The option to cancel does not have to be made in the same medium in which the initial agreement was signed.
Compliance with Auto-Expire Provisions	Arkansas does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract within 3 business days of receipt of a copy of the contract.
Price Transparency and Total Price Advertising Requirements	A contract is considered void if it was entered into in reliance upon any willful and false, fraudulent, or misleading information, representation, notice, or advertisement. Otherwise, Arkansas does not have price transparency or total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Arizona
Click to Cancel	Arizona does not have click to cancel requirements, but Arizona provides that a customer may cancel a contract by using a cancellation option provided by the health spa's website.
Automatic Renewal Restrictions	Arizona does not have automatic renewal restrictions.
Liability Waiver Ban	Arizona does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days after the receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Contracts for health spa services must be in writing and include on the top of the first page of the contract the customer's total payment obligation for health spa services to be received pursuant to the contract. A copy of the written contract must be given to the customer at the time they sign the contract.
Immediate Cancellation or Immediate Halting Charges Language	Arizona does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Arizona does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Arizona does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A buyer may cancel their contract by 1) mailing a notice to the health spa's address, 2) personally delivering a notice to the health spa's address, 3) emailing a notice to the email address specified in the contract or any email that is used by the health spa for customer service if one is not specified in the contract, 4) using a cancellation option provided by the health spa's website, or 5) using any other manner specified in the contract.
Compliance with Auto-Expire Provisions	A contract may not extend for more than three years.
Cooling-Off Period	A buyer may cancel a contract for new or increased services by midnight of the third operating day after receipt of a copy of the contract.
Price Transparency and Total Price Advertising Requirements	Arizona does not have total price advertising requirements.



# State By State Compliance Guide

## Consumer Protection

	California
Click to Cancel	California requires that before billing information is confirmed, a "click to cancel [or message of similar wording]" button or option is required if the business presents a discounted offer, retention benefit notice, or information regarding the effects of cancellation when a consumer attempts to cancel auto-renewal online.
Automatic Renewal Restrictions	Automatic renewal offer terms must be clearly and conspicuously written before the agreement is fulfilled. This applies whether the agreement is conveyed and fulfilled verbally (i.e. over the phone) or visually (i.e. in writing). If a free gift or trial is offered, it must be clearly and conspicuously stated that the price will be charged at the trial's expiration.
Liability Waiver Ban	California does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 10 days after the receipt of the notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	It is unlawful to charge the consumer's credit or debit card, or the consumer's account with a third-party, for an automatic renewal or continuous service without first obtaining the consumer's affirmative consent to the agreement containing the automatic renewal offer terms or continuous service offer terms. It is unlawful to fail to obtain the consumer's express affirmative consent to the automatic renewal or continuous service term offers. It is unlawful to include any information in the contract that interferes with, detracts from, contradicts, or otherwise undermines the ability of consumers to provide their affirmative consent to the automatic renewal or continuous service. It is unlawful to fail to maintain verification of the consumer's affirmative consent for at least three years, or one year after the contract is terminated, whichever period is longer.
Immediate Cancellation or Immediate Halting Charges Language	A business that allows a consumer to accept an automatic renewal or continuous service offer online shall allow a consumer to terminate the automatic renewal or continuous service exclusively online and without engaging any further steps that obstruct or delay the consumer's ability to terminate the automatic renewal or continuous service immediately.
Free Trial Restrictions	California requires the seller to 1) provide a clear and conspicuous explanation of the price that will be charged after the trial ends or the manner the subscription or purchasing agreement pricing will change upon conclusion of the trial and 2) disclose how to cancel and allow the consumer to cancel before the consumer pays for the goods or services. For a trial period lasting more than 31 days, a seller must provide a notice at least three days before and at most 21 days before the end of the trial period.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	California does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A signed and dated notice must be delivered by mail, email, or in-person. The notice must be sent by first-class mail, by email from an email address on file with the health studio, or delivered in person.
Compliance with Auto-Expire Provisions	California does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract by midnight of the 5th business day of the health studio after the date of the agreement, excluding Sundays and holidays.
Price Transparency and Total Price Advertising Requirements	Advertising, displaying, or offering a price for a good or service that does not include all mandatory fees or charges is unlawful.

# State By State Compliance Guide

## Consumer Protection

	Colorado
Click to Cancel	Click to cancel is referred to as "one-step online cancellation." A seller must offer one-step online cancellation for any automatic renewal contract or trial period entered into by the consumer online.
Automatic Renewal Restrictions	The seller of an automatic renewal contract must present the automatic renewal offer terms in a clear and conspicuous manner before enrollment. If an offer is conveyed by voice, the seller must present the terms close in time to the request for consumer's consent to enroll. The seller must provide the consumer a written acknowledgment that includes the automatic renewal offer terms, the cancellation policy, and information regarding how to cancel in a manner that is capable of being retained by the consumer.
Liability Waiver Ban	Colorado does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 15 days after receipt of a written notice of rescission.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Colorado does not have affirmative consent requirements in its statutes. However, under Colo. Rev. Stat. § 6-1-732, a seller is required notify the buyer that an automatic renewal will occur between 25 and 40 days before the first automatic renewal and each automatic renewal thereafter, unless the contract is less than 12 months.
Immediate Cancellation or Immediate Halting Charges Language	Colorado does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Colorado requires the seller to 1) provide a clear and conspicuous explanation of the price that will be charged after the trial ends or the manner the subscription or purchasing agreement pricing will change upon conclusion of the trial and 2) disclose how to cancel and allow the consumer to cancel before the consumer pays for the goods or services.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Colorado does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Under Colo. Rev. Stat. § 6-1-732, cancellations may occur either online or in person.
Compliance with Auto-Expire Provisions	Colorado does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract within three days of receipt of a copy of the contract.
Price Transparency and Total Price Advertising Requirements	Colorado requires businesses to clearly and conspicuously disclose the total price of services. The total price must include all amounts that must be paid to use a service or are not reasonably avoidable.

# State By State Compliance Guide

## Consumer Protection

	Connecticut
Click to Cancel	Connecticut does not have click to cancel requirements.
Automatic Renewal Restrictions	A written notice that a contract will automatically renew shall be provided to the consumer. The notice shall be conspicuously printed on the first page of the contract and shall be provided in fourteen-point bold type.
Liability Waiver Ban	Connecticut does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 15 business days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Effective July 1, 2026, each business that enters into a consumer agreement that includes an automatic renewal provision or a continuous services provision must send an annual reminder concerning the automatic renewal provision or continuous services provision. The reminder must include a statement identifying the options to cancel.
Immediate Cancellation or Immediate Halting Charges Language	Connecticut does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Connecticut does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Connecticut does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A health club service contract may be canceled by sending a written notice by electronic mail or the mailing address on the contract.
Compliance with Auto-Expire Provisions	A contract may not be longer than 24 months.
Cooling-Off Period	A buyer may cancel a contract within three business days of receipt of a copy of the contract.
Price Transparency and Total Price Advertising Requirements	<p>Effective July 1, 2026, a business may not advertise, display, or otherwise offer a good or service to any person at a price that excludes any fee, charge, or cost that such person is required to pay in order to purchase, lease, or otherwise receive such good or service.</p> <p>A business may not require a person to pay any fee, charge, or costs if such fee, charge, or cost 1) is not advertised, displayed, or otherwise offered in compliance with the provision above or 2) is intentionally obscured, unclear, or misrepresented.</p>

# State By State Compliance Guide

## Consumer Protection

	Delaware
Click to Cancel	A seller of an automatic renewal contract is required to provide a means of cancelling the contract online if the contract was entered into online.
Automatic Renewal Restrictions	The seller of an automatic renewal contract must send a notice between 30 and 60 days prior to renewal that: a) clearly states that unless the consumer cancels the contract, the contract will automatically renew; b) provides the date by which the consumer must cancel the contract to avoid automatic renewal; c) explains the procedures for cancelling the contract; and d) explains how to obtain details of the automatic renewal provision.
Liability Waiver Ban	Delaware does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Delaware does not have disclosure or affirmative consent provisions for monthly or annual membership.
Immediate Cancellation or Immediate Halting Charges Language	Delaware does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Delaware does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Delaware does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Under Del. Code tit. 6 § 2732, a contract that is entered into online must have an option to cancel online as well.
Compliance with Auto-Expire Provisions	A contract may not be longer than 36 months.
Cooling-Off Period	A buyer may cancel a contract within three business days of its making.
Price Transparency and Total Price Advertising Requirements	Delaware does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	District of Columbia
Click to Cancel	A click to cancel requirement exists for automatic renewal contracts. If a seller sends an automatic renewal notification to the buyer by email, the notice must include active weblinks to allow the consumer to cancel the automatic renewal of the contract.
Automatic Renewal Restrictions	A health spa must clearly and conspicuously disclose the automatic renewal or continuous service terms that include that the subscription will continue until canceled, pricing, and instructions on how to cancel. For contracts with an initial term of at least 12 months that automatically renew for one month or more, a written notice of the upcoming renewal must be sent to the buyer no fewer than 30 days and no more than 60 days before the cancellation deadline for the first automatic renewal, and no fewer than 30 days and no more than 60 days before each year after the first automatic renewal.
Liability Waiver Ban	The District of Columbia does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 15 days of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Health Spa must clearly and conspicuously disclose the automatic renewal or continuous service terms that include that the subscription will continue until canceled, pricing, and instructions on how to cancel. For contracts with an initial term of at least 12 months that automatically renew for one month or more, a written notice of the upcoming renewal must be sent to the buyer no fewer than 30 days and no more than 60 days before the cancellation deadline for the first automatic renewal, and no fewer than 30 days and no more than 60 days before each year after the first automatic renewal. The consumers affirmative consent must be obtained before charging for an automatic renewal after a free trial.
Immediate Cancellation or Immediate Halting Charges Language	The District of Columbia does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	The District of Columbia require a seller that offers a free trial with an automatic renewal at the end of the trial period to obtain the consumer's affirmative consent to the automatic renewal before charging the consumer for the automatic renewal. A seller must notify the consumer of the automatic renewal at least 15 and no more than 30 days before the end of the free trial period.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	The District of Columbia does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A buyer must notify the health spa by certified or registered mail to the address on the contract with an intent to cancel.
Compliance with Auto-Expire Provisions	The District of Columbia does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract within 15 days of its making.
Price Transparency and Total Price Advertising Requirements	The District of Columbia does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Florida
Click to Cancel	Florida does not have click to cancel requirements.
Automatic Renewal Restrictions	Florida does not have automatic renewal restrictions.
Liability Waiver Ban	Florida does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days after receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Each contract for the sale of future health studio services that are paid for in advance or which the buyer agrees to pay for in future installment payments must be in writing and contain contractual provisions in immediate proximity to the space reserved in the contract for the signature of the buyer in at least 10-point boldfaced type. The written contract must include the name, address, and primary place of business of the health studio and the buyer must be provided with a current copy of applicable rules.
Immediate Cancellation or Immediate Halting Charges Language	The notice of cancellation from the consumer terminates automatically the consumer's obligation to any entity the health studio has subrogated or assigned the consumer's contract.
Free Trial Restrictions	Florida does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Florida does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	The notice of cancellation must be written and mailed or delivered to the health studio.
Compliance with Auto-Expire Provisions	An initial contract may not be longer than 36 months, and contract can only be renewed annually after.
Cooling-Off Period	A buyer may cancel a contract within three days, exclusive of holidays and weekends, of its making.
Price Transparency and Total Price Advertising Requirements	Florida does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Georgia
Click to Cancel	Any business that allows a consumer to accept an automatic renewal or continuous service offer online must allow a consumer to cancel the automatic renewal or continuous service online. This may include a clear and conspicuous link to a website or other online cancellation service or a cancellation email formatted and provided by the business that a consumer can send to the business without additional information.
Automatic Renewal Restrictions	Any seller that sells, leases, or offers any service to a consumer pursuant to a service contract for a specified period of 12 months or more and that automatically renews for a specified period of more than one month must provide the consumer with written or electronic notification of the automatic renewal provision no less than 30 days and no more than 60 days before the cancellation deadline.
Liability Waiver Ban	Georgia does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	It must be disclosed that the contract will automatically renew if not cancelled as well as the methods for the consumer to obtain details of the automatic renewal provision and cancellation procedure. For contracts that automatically renew for a specified period of more than 24 months, the seller must provide a notification including a written or electronic acknowledgement from the consumer and affirmative written or electronic response that the consumer does not intend to terminate the service contract.
Immediate Cancellation or Immediate Halting Charges Language	Georgia does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Georgia does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Georgia does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A notice of cancellation must be in writing and mailed or hand delivered to the health spa. It must be accompanied by the contract forms, membership cards, and any and all other documents and evidence of the membership previously delivered to the buyer.
Compliance with Auto-Expire Provisions	A contract may not be longer than 36 months. Contracts may be renewed at the end of each 36-month period at the option of both parties.
Cooling-Off Period	A buyer may cancel a contract within seven business days after the date of the signing.
Price Transparency and Total Price Advertising Requirements	No person, firm, or corporation can offer for sale services with the intent not to sell them as advertised or not offer for sale at the advertised price. Otherwise, there are no total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Hawaii
Click to Cancel	Hawaii does not have click to cancel requirements.
Automatic Renewal Restrictions	Health club contracts may not contain an automatic renewal clause.
Liability Waiver Ban	Hawaii does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Hawaii does not have disclosure or affirmative consent provisions for monthly or annual membership.
Immediate Cancellation or Immediate Halting Charges Language	Hawaii does not have immediate cancellation or halting charges language.
Free Trial Restrictions	Hawaii has restrictions for free trials under its automatic renewal clause statutes, but health club contracts may not have automatic renewal clauses.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Hawaii does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	To cancel a contract, the buyer must deliver or mail a written notice of cancellation. This can be by registered or certified mail, or by regular mail as long as a duplicate of the signed and dated notice is retained.
Compliance with Auto-Expire Provisions	A contract may not be longer than 36 months.
Cooling-Off Period	A buyer may cancel a contract within five business days after the date the buyer signs the contract.
Price Transparency and Total Price Advertising Requirements	Hawaii does not have total price advertising requirements.



# State By State Compliance Guide

## Consumer Protection

	Idaho
Click to Cancel	Seller shall provide methods of automatic subscription renewal cancellation that include a cost-effective, timely, and easy-to-use online mechanism that may include a termination email formatted and provided by the seller.
Automatic Renewal Restrictions	Sellers cannot make an automatic subscription renewal offer to a consumer unless the seller discloses the terms and methods to cancel.
Liability Waiver Ban	Idaho does not have a liability waiver ban in statutes or regulations.
Refund Timelines	Idaho does not have a specific refund timeline.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Sellers may not make an extended automatic subscription renewal offer to a consumer unless the seller notifies the consumer of the automatic renewal at least 30 days but no more than 60 days in advance.
Immediate Cancellation or Immediate Halting Charges Language	Idaho does not have immediate cancellation or halting charges language.
Free Trial Restrictions	Idaho does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Idaho does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Sellers must provide methods of automatic subscription renewal cancellation that include a cost-effective, timely, and easy-to-use online mechanism that may include a termination email formatted and provided by the seller.
Compliance with Auto-Expire Provisions	Idaho does not have auto-expire provisions.
Cooling-Off Period	Idaho does not have a cooling-off period.
Price Transparency and Total Price Advertising Requirements	Idaho does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Illinois
Click to Cancel	One cancellation option is to cancel on the physical fitness center's website if that is how the contract was entered into. This may function as click to cancel.
Automatic Renewal Restrictions	For a contract with a term of 12 months or more and that automatically renews for a term of more than one month, a consumer must be notified in writing of the automatic renewal. Notice must be provided to the consumer no less than 30 days and no more than 60 days before the cancellation deadline. For a lifetime membership, any change in the price or reduction in benefits must be clearly and conspicuously disclosed no later than 60 days before the renewal.
Liability Waiver Ban	Illinois does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Those selling or offering to sell services to a consumer must disclose the automatic renewal offer terms, provide acknowledgements, cancellation methods and deadlines, and receive consent from the consumer before charging credit/debit cards.
Immediate Cancellation or Immediate Halting Charges Language	Illinois does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	For free trials that last 15 days or longer and has a contract that automatically renews unless cancelled by the consumer, the consumer must be notified during the free trial no less than 3 days before the cancellation deadline using a method the consumer is accustomed to.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Illinois does not prohibit the collection of a credit or debit card for free trial enrollment..
Required Cancellation Methods	Notices of cancellation must be made in writing and delivered or mailed by certified or registered mail to the physical fitness center, online at the center's website if the contract was entered into online, or by email address if an email address was provided in the contract.
Compliance with Auto-Expire Provisions	An initial contract may not be longer than one year.
Cooling-Off Period	A buyer may cancel a contract within three business days after the first business day after the contract is signed by the customer.
Price Transparency and Total Price Advertising Requirements	Every contract for physical fitness services must set forth the customer's total payment obligation for services to be received pursuant to the contract. Otherwise, there are no total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Indiana
Click to Cancel	Indiana does not have click to cancel requirements.
Automatic Renewal Restrictions	Buyers may renew a contract for additional periods but the contract price for the renewal must be at least \$24 per year. Indiana does not have an automatic renewal statute or regulation.
Liability Waiver Ban	Indiana does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Indiana does not have disclosure or affirmative consent provisions for monthly or annual membership.
Immediate Cancellation or Immediate Halting Charges Language	Indiana does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Indiana does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Indiana does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Buyers may cancel a contract by written notice in any form, delivered in person or mailed by certified or registered mail.
Compliance with Auto-Expire Provisions	A contract may not be longer than three years.
Cooling-Off Period	A buyer may cancel a contract by midnight of the third full business day after the buyer signs the contract.
Price Transparency and Total Price Advertising Requirements	Indiana does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Iowa
Click to Cancel	Iowa does not have click to cancel requirements.
Automatic Renewal Restrictions	A physical exercise club contract cannot contain an automatic renewal clause.
Liability Waiver Ban	Iowa does not have a liability waiver ban in statutes or regulations, but Iowa courts have found them to be against public policy and have refused to enforce them for certain activities.
Refund Timelines	A refund must be provided within 45 days after receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	A physical exercise club contract cannot contain an automatic renewal clause.
Immediate Cancellation or Immediate Halting Charges Language	Cancellation is complete upon mailing of the notice of cancellation.
Free Trial Restrictions	Iowa does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Iowa does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Buyers may cancel a contract by written notice delivered to the seller at an address specified in the contract.
Compliance with Auto-Expire Provisions	A contract may not be longer than three years.
Cooling-Off Period	A contract may be canceled within three business days after the date of receipt of a copy of the signed contract.
Price Transparency and Total Price Advertising Requirements	Physical exercise clubs must provide the buyer with a written list of all membership plans and their respective prices.

# State By State Compliance Guide

## Consumer Protection

	Kansas
Click to Cancel	Kansas does not have click to cancel requirements.
Automatic Renewal Restrictions	Kansas does not have automatic renewal restrictions.
Liability Waiver Ban	Kansas does not have a liability waiver ban in statutes or regulations.
Refund Timelines	Kansas does not have a specific refund timeline.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Kansas does not have disclosure or affirmative consent provisions for monthly or annual membership.
Immediate Cancellation or Immediate Halting Charges Language	Kansas does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Kansas does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Kansas does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Cancellations only apply to door to door sales.
Compliance with Auto-Expire Provisions	Kansas does not have auto-expire provisions.
Cooling-Off Period	Kansas does not have a cooling-off period.
Price Transparency and Total Price Advertising Requirements	Kansas does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Kentucky
Click to Cancel	A business that makes an automatic renewal offer or continuous service offer must provide a cost-effective, timely, and easy-to-use mechanism for cancellation. A business that allows a consumer to accept an automatic renewal or continuous service online must allow that consumer to terminate the automatic renewal or continuous offer exclusively online which may include a termination e-mail formatted and provided by the business that a consumer can send to the business without additional information. These options may be interpreted as click to cancel.
Automatic Renewal Restrictions	The automatic renewal offer terms must be presented in a clear and conspicuous manner before the subscription or purchase agreement is fulfilled and in visual proximity, or in the case of an offer conveyed by voice, in temporal proximity, to the request for consent to the offer.
Liability Waiver Ban	Kentucky does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	A business must obtain the consumer's affirmative consent to the purchase agreement with the automatic renewal offer terms including the terms of an automatic renewal offer made at a promotional or discounted price for a limited period of time, before charging the consumer's credit or debit card, or the consumer's account with a third party.
Immediate Cancellation or Immediate Halting Charges Language	Kentucky does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	If an offer includes a free gift or trial, the offer must include a clear and conspicuous explanation of the price that will be charged after the trial ends. The business must disclose how to cancel and allow the consumer to cancel before the consumer pays for the goods or service.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Kentucky does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Notice of cancellation must be written and sent by certified mail, return receipt requested, or by personal delivery to the address in the health spa contract.
Compliance with Auto-Expire Provisions	A contract may not be longer than 36 months. A contract may be renewed for additional terms.
Cooling-Off Period	A buyer may cancel a contract within three business days.
Price Transparency and Total Price Advertising Requirements	Kentucky does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Louisiana
Click to Cancel	Louisiana does not have click to cancel requirements.
Automatic Renewal Restrictions	The automatic renewal must be disclosed clearly and conspicuously in the contract or contract offer as well as how to cancel it.
Liability Waiver Ban	Any clause is null that, in advance, excludes or limits the liability of one party for intentional or gross fault that causes damage to the other party or for causing physical injury to other party.
Refund Timelines	A refund must be provided within 15 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	The automatic renewal must be disclosed clearly and conspicuously in the contract or contract offer as well as how to cancel it.
Immediate Cancellation or Immediate Halting Charges Language	Louisiana does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Louisiana does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Louisiana does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Notices of cancellation must be hand delivered or sent by registered mail.
Compliance with Auto-Expire Provisions	A contract may not be longer than 36 months or measured by the life of the buyer.
Cooling-Off Period	A buyer may cancel a contract by midnight of the third business day after the contract is signed.
Price Transparency and Total Price Advertising Requirements	Louisiana does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Maine
Click to Cancel	Maine requires that a health club allow a consumer to cancel a membership in the same manner by which the consumer initially agreed to the membership.
Automatic Renewal Restrictions	<p>An automatic renewal offer must present the consumer with a clear, conspicuous, and easily accessible disclosure of all material terms of the offer and the methods of cancellation. The seller must obtain express consent for the automatic renewal through a check box, electronic signature, or other affirmative action.</p> <p>For memberships of 12 months or more, in which the membership automatically renews for a specified term of more than one month, no more than 30 days before the renewal date, the seller must provide an additional notice. The notice must disclose clearly and conspicuously 1) that unless the customer cancels the membership, it will automatically renew and 2) where the customer can obtain details about the renewal or cancellation methods.</p>
Liability Waiver Ban	Maine does not have a liability waiver ban in statutes or regulations.
Refund Timelines	Maine does not have a specific refund timeline.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	For memberships of 12 months or more, no more than 30 days before the renewal date, the seller must provide an additional notice. The notice must disclose clearly and conspicuously 1) that unless the customer cancels the membership, it will automatically renew and 2) where the customer can obtain details about the renewal or cancellation methods.
Immediate Cancellation or Immediate Halting Charges Language	Maine does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Maine does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Maine does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A notice of avoidance must be written and sent by ordinary mail, postage prepaid, at the address given on the contract or agreement. The notice need not take particular form.
Compliance with Auto-Expire Provisions	Maine does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract within three business days following the day on which the contract was made.
Price Transparency and Total Price Advertising Requirements	Maine does not have total price advertising requirements.



# State By State Compliance Guide

## Consumer Protection

	Maryland
Click to Cancel	Effective June 1, 2026, an automatic renewal offer must present the consumer with an easily accessible notice of the methods the consumer may use to cancel the automatic renewal and allow the consumer to cancel the offer without unreasonable delay.
Automatic Renewal Restrictions	A health club services agreement made in Maryland may not contain an automatic renewal clause, unless the agreement provides for a renewal option for continued membership which must be accepted by the buyer.
Liability Waiver Ban	Any provision in a contract or agreement that purports to limit a recreational facility's liability or release the facility from liability for injury caused by negligence or other wrongful acts of the facility, its agents, or its on-duty employees is void and unenforceable. There is an exception for health club service agreements for services for an adult.
Refund Timelines	A refund must be provided, but a timeline is not specified.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	<p>Effective July 1, 2026, if a customer has accepted an automatic renewal offer for an initial term of at least one year, a notice must be provided no less than 15 days and no more than 45 days before the automatic renewal is scheduled to take effect.</p> <p>The notice must include the methods the consumer may use to cancel the automatic renewal and allow the consumer to cancel the renewal without unreasonable delay.</p>
Immediate Cancellation or Immediate Halting Charges Language	Maryland does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	<p>Effective June 1, 2026, Maryland his measure provides that a person that makes an automatic renewal offer or an offer that includes a free gift or trial lasting more than 14 days must, before the end of the automatic renewal or free trial, provide clear and conspicuous notice that the offer will automatically renew unless the consumer cancels.</p> <p>If an automatic renewal offer includes a free gift or trial lasting more than 14 days the notice must be provided not less than 3 days and not more than 21 days before the date when the automatic renewal is scheduled to take effect.</p>
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Maryland does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Notice of a buyer's cancellation must be in writing and delivered in person or by certified or registered US mail, with a return receipt requested.
Compliance with Auto-Expire Provisions	Maryland does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract within three business days after receipt of a copy of the contract.
Price Transparency and Total Price Advertising Requirements	Maryland does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Massachusetts
Click to Cancel	Massachusetts does not click to cancel requirements.
Automatic Renewal Restrictions	No contract for health club services may be measured by the life of the buyer or be for a term longer than 36 months. Massachusetts does not have an automatic renewal statute.
Liability Waiver Ban	Massachusetts does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 15 business days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Massachusetts does not have disclosure or affirmative consent provisions for monthly or annual membership.
Immediate Cancellation or Immediate Halting Charges Language	Massachusetts does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Massachusetts does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Massachusetts does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Notice of a buyer's cancellation must be in writing and delivered in person or by certified or registered US mail. It must be accompanied by the contract forms, membership cards, and any other documents or evidence of membership previously delivered to the buyer.
Compliance with Auto-Expire Provisions	A contract may not be longer than 36 months or measured by the life of the buyer.
Cooling-Off Period	A buyer may cancel a contract within three business days after the date of receipt of a copy of the written contract or written receipt indicating the buyer's payment for services.
Price Transparency and Total Price Advertising Requirements	Massachusetts requires businesses to clearly and conspicuously disclose the total price of a product or service in advertisements, including all fees, charges, interest, or other expenses necessary to complete a transaction.

# State By State Compliance Guide

## Consumer Protection

	Michigan
Click to Cancel	Michigan does not click to cancel requirements.
Automatic Renewal Restrictions	Michigan does not have automatic renewal restrictions.
Liability Waiver Ban	Michigan does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 10 business days following receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Michigan does not have disclosure or affirmative consent provisions for monthly or annual membership.
Immediate Cancellation or Immediate Halting Charges Language	Michigan does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Michigan does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Michigan does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A written notification of cancellation must be mailed or delivered to the seller. A written notice is sufficient if it indicates by written expression the intention of the buyer not to be bound by the sale.
Compliance with Auto-Expire Provisions	Michigan does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract until midnight of the third business day after the buyer signed a contract.
Price Transparency and Total Price Advertising Requirements	Michigan does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Minnesota
Click to Cancel	A notice of cancellation can be given in any manner or medium by which the member initially accepted membership to the club. This may include click to cancel.
Automatic Renewal Restrictions	<p>A seller making an offer for an indefinite subscription agreement must present the offer terms in a clear and conspicuous manner to the consumer and in visual proximity, or in the case of an offer conveyed by voice, in temporal proximity to the offer's proposal, before the consumer accepts the offer.</p> <p>A member of a club may terminate a membership by giving notice of termination at any time. If membership is at-will without a defined membership term, then termination is effective no later than 30 days after the date of a verified consumer's notice of termination.</p>
Liability Waiver Ban	An agreement between parties for a consumer service that purports to release, limit, or waive the liability of one party for damage, injuries, or death resulting from conduct that constitutes greater than ordinary negligence is void and unenforceable.
Refund Timelines	A refund must be provided within 10 days after a notice of cancellation is given.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	A seller making an offer for an indefinite subscription agreement must provide the consumer with confirmation of the consumer's acceptance of the offer that includes the offer terms, information on how to cancel a free trial, and options for termination.
Immediate Cancellation or Immediate Halting Charges Language	Any person who has elected to become a member of a club may unilaterally terminate such membership by giving notice of termination at any time.
Free Trial Restrictions	A seller making an offer for an indefinite subscription agreement that includes a free trial lasting more than 30 days must notify the consumer of the option to cancel the free trial before the end of the trial period to avoid an obligation to pay for the goods or services. This notification must be given no fewer than 5 days and no more than 30 days before the end of the free trial.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Minnesota does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Notices of cancellation will be accepted verbally either personally or over the telephone to customer or account service members, in writing which includes mail, email, or an online message through the club's website, or in any other manner or medium by which the member initially accepted membership and is no more burdensome to the member than the initial acceptance was.
Compliance with Auto-Expire Provisions	An initial contract may not be longer than 18 months, but the contract may be extended after 6 months.
Cooling-Off Period	A buyer may cancel a contract by midnight of the third business day following the date on which membership was attained.
Price Transparency and Total Price Advertising Requirements	A person engages in a deceptive trade practice when the person advertises, displays, or offers a price for goods or services that does not include all mandatory fees or surcharges.

# State By State Compliance Guide

## Consumer Protection

	Mississippi
Click to Cancel	Mississippi does not have click to cancel requirements.
Automatic Renewal Restrictions	No health spa contract may have a duration for a longer period than 36 months. Mississippi does not have an automatic renewal statute.
Liability Waiver Ban	Mississippi does not have a liability waiver ban in statutes or regulations.
Refund Timelines	Mississippi does not have a specific refund timeline.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Mississippi does not have disclosure or affirmative consent provisions for monthly or annual membership.
Immediate Cancellation or Immediate Halting Charges Language	Mississippi does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Mississippi does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Mississippi does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Written notification of the cancellation is required to be delivered or mailed to the health spa.
Compliance with Auto-Expire Provisions	A contract may not be longer than 36 months.
Cooling-Off Period	A buyer may cancel a contract within five business days.
Price Transparency and Total Price Advertising Requirements	Mississippi does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Missouri
Click to Cancel	Missouri does not have click to cancel requirements.
Automatic Renewal Restrictions	No health spa contract shall have a duration for a period longer than thirty-six months, but the contract may give the buyer a right of renewal.
Liability Waiver Ban	Missouri does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Missouri does not have disclosure or affirmative consent provisions for monthly or annual membership.
Immediate Cancellation or Immediate Halting Charges Language	Missouri does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Missouri does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Missouri does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Missouri requires a contract to include a provision requiring that to cancel a contract the buyer shall notify the health spa of cancellation in writing, by certified mail, return receipt requested, or personal delivery, to the address specified in the contract.
Compliance with Auto-Expire Provisions	A contract may not be longer than 36 months, but a contract may give the buyer a right of renewal.
Cooling-Off Period	Three days
Price Transparency and Total Price Advertising Requirements	Missouri does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Montana
Click to Cancel	Montana does not have click to cancel requirements.
Automatic Renewal Restrictions	Montana does not have automatic renewal restrictions.
Liability Waiver Ban	All contracts that have for their object, directly or indirectly, to exempt anyone from responsibility for the person's own fraud, for willful injury to the person or property of another, or for violation of law, whether willful or negligent, are against the law.
Refund Timelines	Montana does not have a specific refund timeline.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Montana does not have disclosure or affirmative consent provisions for monthly or annual membership.
Immediate Cancellation or Immediate Halting Charges Language	Montana does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Montana does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Montana does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Montana does not have statutes or regulations that pertain to cancellation methods.
Compliance with Auto-Expire Provisions	Montana does not have auto-expire provisions.
Cooling-Off Period	Montana does not have a cooling-off period.
Price Transparency and Total Price Advertising Requirements	Montana does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Nebraska
Click to Cancel	Nebraska does not have click to cancel requirements.
Automatic Renewal Restrictions	Nebraska does not have automatic renewal restrictions.
Liability Waiver Ban	Nebraska does not have a liability waiver ban in statutes or regulations.
Refund Timelines	Nebraska does not have a specific refund timeline.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Nebraska does not have disclosure or affirmative consent provisions for monthly or annual membership.
Immediate Cancellation or Immediate Halting Charges Language	Nebraska does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Nebraska does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Nebraska does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Nebraska does not have statutes or regulations that pertain to cancellation methods.
Compliance with Auto-Expire Provisions	Nebraska does not have auto-expire provisions.
Cooling-Off Period	Nebraska does not have a cooling-off period.
Price Transparency and Total Price Advertising Requirements	Nebraska does not have total price advertising requirements.



# State By State Compliance Guide

## Consumer Protection

	Nevada
Click to Cancel	Nevada does not have click to cancel requirements.
Automatic Renewal Restrictions	Health club contracts may not contain a clause for the contract to be automatically renewed.
Liability Waiver Ban	Nevada does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 15 days after receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Nevada does not have disclosure or affirmative consent provisions for monthly or annual membership.
Immediate Cancellation or Immediate Halting Charges Language	Nevada does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Nevada does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Nevada does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	The studio must be notified in writing and the notice must be delivered in person or by mail.
Compliance with Auto-Expire Provisions	Nevada does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract within three business days after receiving a copy of the contract.
Price Transparency and Total Price Advertising Requirements	A person engages in a deceptive trade practice if they make a false or misleading statement of fact concerning the price of goods or services for sale or lease. Otherwise, there are no other total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	New Hampshire
Click to Cancel	New Hampshire does not have click to cancel requirements.
Automatic Renewal Restrictions	No term contract for health club services shall be for a term of more than one year, nor shall any health club term contract contain an automatic renewal clause for a period greater than one month. A contract may provide for a renewal option for continued membership, but any such renewal must be accepted in writing by a buyer and is effective only upon payment of the renewal price. Under no circumstances may a contract for health club services be renewed more than 90 days before the contract's expiration date. The annualized price of the buyer's first term contract or membership option with a seller may not exceed the annualized price of any subsequent term contract or other membership option with the seller by more than 25 percent.
Liability Waiver Ban	New Hampshire does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 15 days after a request for one.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	No term contract for health club services shall be for a term of more than one year, nor shall any health club term contract contain an automatic renewal clause for a period greater than one month. A contract may provide for a renewal option for continued membership, but any such renewal must be accepted in writing by a buyer and is effective only upon payment of the renewal price.
Immediate Cancellation or Immediate Halting Charges Language	New Hampshire does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	New Hampshire does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	New Hampshire does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	The buyer may cancel by written notice mailed to the seller, preferably by certified or registered letter; or he may cancel by delivering a notice in person within the cancellation period. If such notice is delivered, the buyer shall be entitled to a receipt.
Compliance with Auto-Expire Provisions	New Hampshire does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract within 3 business days.
Price Transparency and Total Price Advertising Requirements	New Hampshire does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	New Jersey
Click to Cancel	An online health club subscription service provider must provide a consumer with an online option to terminate the subscription service. This option must be in the form of a direct link or button on the subscription service provider's Internet website and in an easily accessible location.
Automatic Renewal Restrictions	A provider of an automatic renewal contract that lasts 12 months or longer must provide the consumer with written or electronic notification of the automatic renewal provision between 30 and 60 days before the cancellation deadline.
Liability Waiver Ban	New Jersey does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A cancelled contract shall be fully refunded within 30 days of receipt of the notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	New Jersey does not require affirmative consent, but a provider of an automatic renewal contract that lasts 12 months or longer must provide the consumer with written or electronic notification of the automatic renewal provision between 30 and 60 days before the cancellation deadline.
Immediate Cancellation or Immediate Halting Charges Language	New Jersey does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	New Jersey does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	New Jersey does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Automatic renewal contracts must disclose either an online method to cancel and a mailing address for written cancellation requests or a telephone number that the consumer may call.
Compliance with Auto-Expire Provisions	A contract may not be longer than three years. Otherwise, New Jersey does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract by midnight of the third operating day after the buyer receives a copy of the contract.
Price Transparency and Total Price Advertising Requirements	Any health club services contract entered into in reliance upon any fraudulent or substantially and willfully false or misleading information is voidable by the buyer. Otherwise, New Jersey does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	New Mexico
Click to Cancel	Consumers can provide a written notice of cancellation by fax, mail, email, or any other means that a consumer can reasonably rely to deliver such notice and postmarked, time stamped, or otherwise electronically date stamped. Click to cancel could be interpreted as one of these methods.
Automatic Renewal Restrictions	For a consumer service contract to include an automatic renewal provision, the seller must include in the contract in a clear and conspicuous manner in at least 10 point type and include the notice requirements and specific procedure by which a consumer can cancel their contract at the end of the initial contract term and the terms of the automatic renewal in the event that notice of cancellation is not given at the end of the initial contract term.
Liability Waiver Ban	New Mexico does not have a liability waiver ban in statutes or regulations.
Refund Timelines	New Mexico does not have a specific refund timeline.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Sellers must provide a written notice prior to the end of the initial term of the contract or prior to the end of the renewal term of the contract. A written notice specifying the procedure for a consumer to cancel the contract must be provided at least 30 days before the last day the consumer can give notice but not sooner than 60 days before. Consumers have 30 days after receipt of the seller's notice to give notice of their intent to terminate the contract.
Immediate Cancellation or Immediate Halting Charges Language	New Mexico does not have immediate cancellation or halting charges language.
Free Trial Restrictions	New Mexico does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	New Mexico does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A written notice of cancellation must be sent by fax, US mail, e-mail, or any other means upon which a consumer can reasonably rely to deliver such notice and postmarked, time stamped, or otherwise electronically date stamped within the 30 days provided for the consumer to give notice.
Compliance with Auto-Expire Provisions	Contracts must comply with the auto renewal provisions for a contract to automatically renew. There are no additional auto-expire provisions.
Cooling-Off Period	New Mexico does not have a cooling-off period.
Price Transparency and Total Price Advertising Requirements	New Mexico does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	New York
Click to Cancel	Health clubs must accept a notice of cancellation on membership through its website.
Automatic Renewal Restrictions	For contracts due for renewal on an annual basis, health clubs must accept cancellation of renewal of a membership if requested by buyer within 15 business days the renewal takes effect. For contracts due for renewal on a monthly basis, health clubs must accept cancellation of renewal of a membership if requested by buyer within three business days the renewal takes effect.
Liability Waiver Ban	An agreement that exempts the owner or operator from liability for damages caused by or resulting from negligence or the owner, operator, person in charge of an establishment, or their agents or employees, is deemed void and unenforceable.
Refund Timelines	A refund must be provided within 10 business days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Auto-renewal terms must be clearly presented before the consumer agrees to the contract and health clubs must get explicit consent from consumer before and auto-renewal charge.
Immediate Cancellation or Immediate Halting Charges Language	Health clubs must accept a cancellation of a membership by the buyer no later than 3 business days.
Free Trial Restrictions	If an automatic renewal offer includes a free trial, the offer must also disclose the price charged at the conclusion of the free trial or how the subscription pricing will change.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	New York does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	The buyer must provide a written notice of cancellation to the seller at the address or e-mail address specified in the contract.
Compliance with Auto-Expire Provisions	A contract may not be longer than 36 months.
Cooling-Off Period	A buyer may cancel a contract within three business days after the date of receipt of a copy of the written contract.
Price Transparency and Total Price Advertising Requirements	New York does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	North Carolina
Click to Cancel	North Carolina does not have click to cancel requirements.
Automatic Renewal Restrictions	A seller must disclose the automatic renewal clause clearly and conspicuously in the contract, how to cancel the contract in the initial contract/contract offer/delivery of products or services, and provide written notice to the consumer by personal delivery/email/first-class mail at least 15 days but no earlier than 45 days before the contract is to be automatically renewed for any automatic renewal exceeding 60 days. If the terms of the contract will change upon the automatic renewal of the contract, the seller must disclose the changing terms in at least 12 point font and in bold print.
Liability Waiver Ban	North Carolina does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days after a request for one.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	A seller must disclose the automatic renewal clause clearly and conspicuously in the contract, how to cancel the contract in the initial contract/contract offer/delivery of products or services, and provide written notice to the consumer by personal delivery/email/first-class mail at least 15 days but no earlier than 45 days before the contract is to be automatically renewed for any automatic renewal exceeding 60 days. If the terms of the contract will change upon the automatic renewal of the contract, the seller must disclose the changing terms in at least 12 point font and in bold print.
Immediate Cancellation or Immediate Halting Charges Language	North Carolina does not have immediate cancellation or halting charges language.
Free Trial Restrictions	North Carolina does not have free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	North Carolina does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	The buyer must provide a written notice of cancellation to the seller at the address stated in the contract or by mail.
Compliance with Auto-Expire Provisions	A contract may not be longer than three years.
Cooling-Off Period	A buyer may cancel a contract within three business days.
Price Transparency and Total Price Advertising Requirements	North Carolina does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	North Dakota
Click to Cancel	North Dakota does not have click to cancel requirements.
Automatic Renewal Restrictions	A seller must disclose the automatic renewal clause clearly and conspicuously in the contract and how to cancel before the subscription or purchasing agreement is fulfilled. For offers lasting more than 6 months, a written notice stating the buyer may cancel the contract must be sent by the seller at least 30 days and not more than 60 days before the agreement renews or the specified last day for cancellation.
Liability Waiver Ban	North Dakota does not have a liability waiver ban in statutes or regulations.
Refund Timelines	North Dakota does not have a specific refund timeline.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	A seller may not charge a customer for an automatic renewal without obtaining the customers affirmative consent to the terms of the automatic renewal.
Immediate Cancellation or Immediate Halting Charges Language	North Dakota does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	North Dakota does not have free trial restrictions in statute or regulation.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	North Dakota does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	North Dakota does not have statutes or regulations that pertain to cancellation methods approved specifically for automatic renewal.
Compliance with Auto-Expire Provisions	The renewal period for automatic renewal of an agreement may not exceed 12 months.
Cooling-Off Period	North Dakota does not have a cooling-off period.
Price Transparency and Total Price Advertising Requirements	North Dakota does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Ohio
Click to Cancel	Ohio does not have click to cancel requirements.
Automatic Renewal Restrictions	Ohio does not have automatic renewal restrictions.
Liability Waiver Ban	Ohio does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 10 days after receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Ohio does not have requirements for disclosure and affirmative consent on a monthly or annual basis.
Immediate Cancellation or Immediate Halting Charges Language	Ohio does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Ohio does not have any statutes or regulations pertaining explicitly to free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Ohio does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Ohio does not have statutes or regulations that pertain to cancellation methods approved specifically for automatic renewal.
Compliance with Auto-Expire Provisions	A contract may not be longer than three years.
Cooling-Off Period	A buyer can cancel a contract until midnight of the third business day after the contract was signed. If a health spa is unavailable at the time the contract is signed, a buyer may cancel by midnight of the seventh business day.
Price Transparency and Total Price Advertising Requirements	Ohio does not have total price advertising requirements.



# State By State Compliance Guide

## Consumer Protection

	Oklahoma
Click to Cancel	Oklahoma does not have click to cancel requirements.
Automatic Renewal Restrictions	Oklahoma does not have automatic renewal restrictions.
Liability Waiver Ban	Oklahoma does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Oklahoma does not have requirements for disclosure and affirmative consent on a monthly or annual basis.
Immediate Cancellation or Immediate Halting Charges Language	Oklahoma does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Oklahoma does not have free trial restrictions in statute or regulation.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Oklahoma does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A buyer may cancel a health spa contract or membership agreement by notifying the health spa of cancellation in writing, either by certified mail with a return receipt requested or by personal delivery, to the address specified in the health spa contract or membership agreement.
Compliance with Auto-Expire Provisions	Oklahoma does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract within three business days.
Price Transparency and Total Price Advertising Requirements	Under Okla. Stat. tit. 59, § 2005, no health spa contract or membership agreement shall have a duration for a period longer than 36 months. Otherwise, there are no price transparency or total price advertising requirements within Oklahoma statute or regulations.

# State By State Compliance Guide

## Consumer Protection

	Oregon
Click to Cancel	Oregon does not have click to cancel requirements.
Automatic Renewal Restrictions	Under Or. Rev. Stat. § 646A.295, it is unlawful to fail to present automatic renewal offer terms in a clear and conspicuous manner, including failing to clearly and conspicuously present the terms of cancelling automatic renewal. It is also illegal to charge the consumer for automatic renewal without first obtaining the consumer's affirmative consent.
Liability Waiver Ban	Oregon does not have a liability waiver ban in statutes or regulations, but Oregon courts have found releases for gross negligence, reckless, or intentional conduct unenforceable. <i>Bagley v. Mt. Bachelor, Inc.</i> , 340 P.3d 27 (Or. 2014).
Refund Timelines	A refund must be provided within 15 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Oregon does not have requirements for disclosure and affirmative consent on a monthly or annual basis.
Immediate Cancellation or Immediate Halting Charges Language	Oregon does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	If an automatic renewal offer includes a free trial, the offeror must also disclose how to cancel and allow the consumer to cancel before the consumer is charged.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Oregon does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Oregon does not require a specific cancellation method, provided that any method that is provided includes a timely and easy-to-use mechanism for cancellation.
Compliance with Auto-Expire Provisions	Oregon does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract within three business days of signing the contract.
Price Transparency and Total Price Advertising Requirements	<p>A health spa is required to provide a written list of prices of all forms or plans of services offered at the health spa.</p> <p>A person that offers or sells goods, or services online may not advertise, display or offer a price for the goods or services that does not include all fees or charges that a purchaser must pay to complete a transaction for the goods or services other than 1) taxes or fees that a government body imposes, 2) reasonable charges to provide the services, or 3) a service fee that is calculated according to distance or a purchaser's selection, except that the service fee must be disclosed prominently before the purchaser agrees to pay.</p>

# State By State Compliance Guide

## Consumer Protection

	Pennsylvania
Click to Cancel	Pennsylvania does not have click to cancel requirements.
Automatic Renewal Restrictions	Under 1989 Act 87, Section 4, a health club contract may only contain an automatic renewal clause if said clause delineates a renewal option that must be affirmatively accepted by the buyer at the expiration of each contract term.
Liability Waiver Ban	Pennsylvania does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 40 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Pennsylvania does not have requirements for disclosure and affirmative consent on a monthly or annual basis.
Immediate Cancellation or Immediate Halting Charges Language	Pennsylvania does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Pennsylvania does not have any statutes or regulations pertaining explicitly to free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Pennsylvania does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Pennsylvania does not have statutes or regulations that pertain to cancellation methods approved specifically for automatic renewal.
Compliance with Auto-Expire Provisions	A contract may not be longer than 36 months.
Cooling-Off Period	A buyer may cancel a contract within three business days.
Price Transparency and Total Price Advertising Requirements	Any contracts that contain false or misleading information are considered automatically void. Otherwise, there are no total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Rhode Island
Click to Cancel	Rhode Island does not have click to cancel requirements.
Automatic Renewal Restrictions	Rhode Island does not have automatic renewal restrictions.
Liability Waiver Ban	Rhode Island does not have a liability waiver ban in statutes or regulations, but Rhode Island courts have not always enforced liability waivers.
Refund Timelines	A refund must be provided within 15 business days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Rhode Island does not have requirements for disclosure and affirmative consent on a monthly or annual basis.
Immediate Cancellation or Immediate Halting Charges Language	Rhode Island does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Rhode Island does not have any statutes or regulations pertaining explicitly to free trial restrictions.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Rhode Island does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Buyers must submit a notice of cancellation by mail or in person.
Compliance with Auto-Expire Provisions	A contract may not be longer than 24 months.
Cooling-Off Period	A buyer may cancel a contract within 10 business days of entering into an agreement.
Price Transparency and Total Price Advertising Requirements	Health clubs must clearly post, within 20 feet of the main entrance, a schedule of rates that advises buyers and potential buyers of the charges for the use of the health club facilities. The rates should include all renewal and new membership dues and fees. Otherwise, there are no other total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	South Carolina
Click to Cancel	South Carolina does not have click to cancel requirements.
Automatic Renewal Restrictions	A contract for physical fitness services may provide for an automatic renewal option for a duration of no longer than one month. The customer will be given the ability to opt-in to the automatic renewal provision at the time the initial contract is executed. Prices may not increase or decrease in an automatically renewed contract without written notice to the customer of at least 30 days but not more than 60 days prior to the effective date of the change in price.
Liability Waiver Ban	South Carolina does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	The automatic renewal option must be disclosed in bold type of at least 14 point font on the front page of the contract and must be initialed by the customer. Near the expiration of the initial contract, the facility must notify the customer in writing at the customer's last known address of the automatic renewal option.
Immediate Cancellation or Immediate Halting Charges Language	South Carolina does not have immediate cancellation or immediate halting charges language in statute or regulation.
Free Trial Restrictions	South Carolina does not have free trial restrictions in statute or regulation.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	South Carolina does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A written notice of cancellation must be sent to the center by certified mail.
Compliance with Auto-Expire Provisions	A contract may not be longer than 24 months or measured by the life of the customer or center or similar indefinite term. If a center demonstrates financial responsibility and has been in operation for 5 or more years in the state, a contract may be up to 36 months if approved in writing by the Administrator.
Cooling-Off Period	A buyer may cancel a contract within three business days.
Price Transparency and Total Price Advertising Requirements	South Carolina does not total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	South Dakota
Click to Cancel	South Dakota does not have click to cancel requirements.
Automatic Renewal Restrictions	South Dakota does not have automatic renewal restrictions.
Liability Waiver Ban	South Dakota does not have a liability waiver ban in statutes or regulations, but South Dakota courts have not always enforced liability waivers.
Refund Timelines	South Dakota does not have a specific refund timeline.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	South Dakota does not have requirements for disclosure and affirmative consent on a monthly or annual basis.
Immediate Cancellation or Immediate Halting Charges Language	South Dakota does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	South Dakota does not have auto renewal restrictions following a free trial.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	South Dakota does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	South Dakota does not have statutes or regulations that pertain to cancellation methods approved specifically for automatic renewal.
Compliance with Auto-Expire Provisions	South Dakota does not have auto-expire provisions.
Cooling-Off Period	South Dakota does not have a cooling-off period.
Price Transparency and Total Price Advertising Requirements	South Dakota does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Tennessee
Click to Cancel	Tennessee does not have click to cancel requirements.
Automatic Renewal Restrictions	An automatic renewal offer or continuous service offer must present its terms a) clearly and conspicuously before an agreement is fulfilled and b) in visual proximity or, for offers made by telephone, in temporal proximity to the request for consent to the offer. If a material change is made to the offer terms that have already been accepted by a consumer, the seller must provide the consumer with a notice of the change, including information on how to cancel the agreement.
Liability Waiver Ban	Tennessee does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days after receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	A seller must obtain the consumer's affirmative consent to the agreement containing the automatic renewal or continuous service offer terms, including offer terms made at a promotional or discounted price for a limited time, before charging the consumer's credit or debit card, or the consumer's account through a third party. If the automatic renewal will occur more than 60 days after affirmative consent is obtained, the seller must provide a clear and conspicuous notice to the consumer of when the business will charge the consumer.
Immediate Cancellation or Immediate Halting Charges Language	Tennessee does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	If an autorenewal offer also includes a free trial, the offer must include a clear and conspicuous explanation of the price that will be charged after the trial ends or how the subscription or purchasing agreement pricing will change after the trial ends. The seller must also disclose how to cancel the automatic renewal or continuous service before the consumer is charged.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Tennessee does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A business that makes an automatic renewal offer or continuous service offer must provide a toll-free telephone number, electronic mail address, a postal address if the seller directly bills the consumer, or another cost-effective, timely, and easy-to-use mechanism for cancellation. A business that allows a consumer to accept an offer online shall allow the consumer to cancel the agreement exclusively online.
Compliance with Auto-Expire Provisions	A contract may not be longer than 36 months unless it provides for a month-to-month continuation, either in the initial contract or as an extension, that allows the buyer to cancel the extended contract with 30 days' notice.
Cooling-Off Period	A buyer may cancel a contract within three business days. If the contract is subject to a finance charge, the buyer may cancel within seven business days.
Price Transparency and Total Price Advertising Requirements	A health club agreement shall be unenforceable if the buyer entered into the agreement in reliance upon any false, deceptive, or misleading information, representation, notice, or advertisement. Otherwise, Tennessee does not have price transparency and total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Texas
Click to Cancel	Texas does not have click to cancel requirements.
Automatic Renewal Restrictions	Texas does not have automatic renewal restrictions.
Liability Waiver Ban	Texas does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within 30 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Texas does not have requirements for disclosure and affirmative consent on a monthly or annual basis.
Immediate Cancellation or Immediate Halting Charges Language	Texas does not have immediate cancellation or immediate halting charges language.
Free Trial Restrictions	Texas does not have auto renewal restrictions following a free trial.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Texas does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Customers must submit a written notice of cancellation with a proof of payment by certified mail to the health spa certificate holder's home office.
Compliance with Auto-Expire Provisions	A contract may not be longer than three years.
Cooling-Off Period	A buyer may cancel a contract within three business days of signing.
Price Transparency and Total Price Advertising Requirements	Health spa's must prepare a comprehensive list that includes each membership plan the health spa offers for sale and disclose the list to a prospective customer upon request.



# State By State Compliance Guide

## Consumer Protection

	Utah
Click to Cancel	Utah does not have click to cancel requirements.
Automatic Renewal Restrictions	A contract may include an automatic renewal provision. The provision is effective if notice of the automatic renewal provision is provided to the consumer no sooner than 60 days before and no later than 30 days before the day the contract automatically renews.
Liability Waiver Ban	Utah does not have a liability waiver ban in statutes or regulations.
Refund Timelines	Utah does not have a specific refund timeline.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Contracts for health spa services must include rules that apply to a consumer's use of facilities and services, cancellation and refund policies of the health spa, which equipment or facility is omitted from contract coverage or may be changed at the spa's discretion, and consumer rescission rights and addresses where the consumer can send the notice of intent to rescind the contract.
Immediate Cancellation or Immediate Halting Charges Language	The rescission of a contract is effective upon the health spa's receipt of written notice of the consumer's intent to rescind the contract.
Free Trial Restrictions	Utah does not have free trial restrictions in statute or regulation.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Utah does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A consumer may rescind a contract by emailing or mailing written notice to the email or mailing address the health spa provided in the contract.
Compliance with Auto-Expire Provisions	A contract may not have a term in excess of 36 months.
Cooling-Off Period	A buyer may cancel a contract by midnight of the third business day after the day the contract was executed.
Price Transparency and Total Price Advertising Requirements	Utah does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Vermont
Click to Cancel	Click to cancel is an option if the consumer accepted the contract online. The consumer must be permitted to terminate the contract exclusively online which may include a termination e-mail formatted and provided by the seller or lessor that the consumer can send without additional information.
Automatic Renewal Restrictions	For contracts with an initial term of one year or longer that renews for a subsequent term longer than one month to renew automatically, the contract must state clearly and conspicuously the terms of the automatic renewal provision in plain and unambiguous language in bold-face type, allow the consumer to take affirmative action to opt in to the automatic renewal provision, and the seller or lessor must provide written or electronic notice to the consumer.
Liability Waiver Ban	Vermont does not have a liability waiver ban in statutes or regulations.
Refund Timelines	Vermont does not have a specific refund timeline.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	A seller or lessor must allow consumers to opt-in to the automatic renewal provision and if the consumer does so, provide a notice not less than 30 days before and not more than 60 days before the earliest of either the automatic renewal date, termination date, or date by which the consumer must provide notice to cancel the contract. The notice must include the date the contract will terminate and a clear statement that the contract will renew automatically unless the consumer cancels the contract on or before the termination date and the length of any additional terms of the renewal period.
Immediate Cancellation or Immediate Halting Charges Language	Vermont does not have immediate cancellation or immediate halting charges language in statute or regulation.
Free Trial Restrictions	Vermont does not have free trial restrictions in statute or regulation.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Vermont does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	A consumer may cancel by using a toll-free telephone number, e-mail address, postal address, or another cost-effective, timely, and easy-to-use mechanism.
Compliance with Auto-Expire Provisions	Contracts must comply with the auto renewal provisions for a contract to automatically renew. There are no additional auto-expire provisions.
Cooling-Off Period	Vermont does not have a cooling-off period.
Price Transparency and Total Price Advertising Requirements	Acts or practices that tend to discourage the purchase of the advertised goods include the disparagement by the seller or solicitor by acts or words of the advertised goods or services. Otherwise, there are no provisions concerning total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Virginia
Click to Cancel	In Virginia, each supplier of automatic renewal or continuous service offers through an online website shall provide a conspicuous online option to cancel a recurring purchase.
Automatic Renewal Restrictions	In Virginia, automatic renewal or continuous service offer terms must be presented clearly and conspicuously to the buyer shortly before requesting the buyer's consent. These terms must contain an acknowledgment that includes the automatic renewal or continuous service offer terms, cancellation policy, and information regarding how to cancel in a manner that is capable of being retained by the consumer.
Liability Waiver Ban	Virginia does not have a liability waiver ban in statutes or regulations, but Virginia courts have found liability waivers invalid. Public policy forbids the enforcement of a release or waiver for personal injury caused by future acts of negligence. <i>Hiatt v. Lake Barcroft Community Assoc.</i> , 418 S.E.2d 894 (Va. 1992).
Refund Timelines	A refund must be provided within 30 days of receipt of a notice of cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Virginia requires a seller to acquire the customer's affirmative consent prior to the completion of the initial order for the automatic renewal or continuous service. Only then can the seller charge the customer's credit card for the renewal or service.
Immediate Cancellation or Immediate Halting Charges Language	Virginia does not have immediate cancellation or immediate halting charges language in statute or regulation.
Free Trial Restrictions	In Virginia, a supplier making automatic renewal or continuous service offers that include a free trial lasting more than 30 days shall, within 30 days of the end of any such free trial, notify the consumer of the option to cancel before incurring charges. This includes disclosing how to cancel the free trial.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Virginia does not prohibit the collection of a credit or debit card for free trial enrollment.
Required Cancellation Methods	Yes, by certified mail under the Health Club Act (although with Virginia's new automatic renewal and click to cancel requirements, it is implied that a membership purchased electronically can be cancelled electronically)
Compliance with Auto-Expire Provisions	Virginia does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract within three business days of its making.
Price Transparency and Total Price Advertising Requirements	Virginia requires businesses to clearly and conspicuously disclose the total price of goods or services, including all mandatory fees and surcharges, in any advertisement or display. Any health club contract containing false or misleading information, representation, notice, or advertisement shall be void and unenforceable.

# State By State Compliance Guide

## Consumer Protection

	Washington
Click to Cancel	Washington requires contracts be canceled with a written notice of cancellation, not click to cancel.
Automatic Renewal Restrictions	Washington does not have automatic renewal restrictions.
Liability Waiver Ban	Washington does not have a liability waiver ban in statutes or regulations, but Washington courts have not always enforced liability waivers.
Refund Timelines	A refund must be provided within 30 days after receipt of a written notice of cancellation
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Washington does not have requirements for disclosure and affirmative consent on a monthly or annual basis.
Immediate Cancellation or Immediate Halting Charges Language	Washington does not have immediate cancellation or immediate halting charges language in statute or regulation.
Free Trial Restrictions	Washington does not have free trial restrictions in statute or regulation.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Washington does not have credit/debit card collection prohibition for free trial enrollment in statute or regulation.
Required Cancellation Methods	Written notification of the cancellation is required to be delivered or mailed to the health studio.
Compliance with Auto-Expire Provisions	Washington does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract within three days of signing.
Price Transparency and Total Price Advertising Requirements	Washington does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	West Virginia
Click to Cancel	West Virginia does not have click to cancel requirements.
Automatic Renewal Restrictions	West Virginia does not automatic renewal restrictions.
Liability Waiver Ban	West Virginia does not have a liability waiver ban in statutes or regulations.
Refund Timelines	A refund must be provided within seven days of a cancellation.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	West Virginia does not have requirements for disclosure and affirmative consent on a monthly or annual basis.
Immediate Cancellation or Immediate Halting Charges Language	West Virginia does not have immediate cancellation or immediate halting charges language in statute or regulation.
Free Trial Restrictions	West Virginia does not have free trial restrictions in statute or regulation.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	West Virginia does not have credit/debit card collection prohibition for free trial enrollment in statute or regulation.
Required Cancellation Methods	The Health Spa Rule requires cancellation through written notification by mail.
Compliance with Auto-Expire Provisions	West Virginia does not have auto-expire provisions.
Cooling-Off Period	A buyer may cancel a contract within three business days after the date on which the contract is executed.
Price Transparency and Total Price Advertising Requirements	Health club contracts must delineate terms clearly and upfront. Otherwise, West Virginia does not have price transparency and total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Wisconsin
Click to Cancel	Wisconsin does not have click to cancel requirements.
Automatic Renewal Restrictions	Fitness centers must disclose to the customer that the contract will be automatically renewed or extended for an additional period unless the customer declines renewal or extension.
Liability Waiver Ban	Wisconsin does not have a liability waiver ban in statutes or regulations, but Wisconsin courts have not always enforced liability waivers.
Refund Timelines	A refund must be provided within 21 days after a notice of cancellation is delivered.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Wisconsin does not have requirements for disclosure and affirmative consent on a monthly or annual basis.
Immediate Cancellation or Immediate Halting Charges Language	Wisconsin does not have immediate cancellation or immediate halting charges language in statute or regulation.
Free Trial Restrictions	Wisconsin does not have free trial restrictions in statute or regulation.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Wisconsin does not have credit/debit card collection prohibition for free trial enrollment in statute or regulation.
Required Cancellation Methods	A customer must send a written notice of cancellation by mail or delivered to the address provided on the contract.
Compliance with Auto-Expire Provisions	A contract may not be longer than two years.
Cooling-Off Period	A buyer may cancel a contract within three days after signing a contract.
Price Transparency and Total Price Advertising Requirements	Wisconsin does not have total price advertising requirements.

# State By State Compliance Guide

## Consumer Protection

	Wyoming
Click to Cancel	Wyoming does not have click to cancel requirements.
Automatic Renewal Restrictions	Wyoming does not have automatic renewal restrictions.
Liability Waiver Ban	The Wyoming Recreation Safety Act states that any person who takes part in any sport or recreational opportunity assumes the inherent risks in that sport or recreational opportunity and is legally responsible for any and all damages, injury, or death to himself or other persons or property that results from the inherent risks. Negligence from the provider where the damage, injury, or death is not the result of an inherent risk of the sport or recreational opportunity may waive these protections.
Refund Timelines	Wyoming does not have a specific refund timeline.
Disclosure and Affirmative Consent for Monthly or Annual Memberships	Wyoming does not have requirements for disclosure and affirmative consent on a monthly or annual basis.
Immediate Cancellation or Immediate Halting Charges Language	Wyoming does not have immediate cancellation or immediate halting charges language in statute or regulation.
Free Trial Restrictions	Wyoming does not have free trial restrictions in statute or regulation.
Credit/Debit Card Collection Prohibition for Free Trial Enrollment	Wyoming does not have credit/debit card collection prohibition for free trial enrollment.
Required Cancellation Methods	Wyoming does not have statutes or regulations that pertain to cancellation methods approved specifically for automatic renewal.
Compliance with Auto-Expire Provisions	Wyoming does not have auto-expire provisions.
Cooling-Off Period	Wyoming does not have a cooling-off period.
Price Transparency and Total Price Advertising Requirements	Wyoming does not have total price advertising requirements.

# State By State Compliance Guide

## Biometrics, Geolocation and Facility Requirements

	Alabama	Alaska	Arizona
Collection of Fingerprint Scans for Barcode Entry	Alabama does not have any statutes or regulations regarding the collection of biometric data from customers.	Alaska does not have any statutes or regulations regarding the collection of biometric data from customers.	Arizona does not have any statutes or regulations regarding the collection of biometric data from customers.
Collection of Customer Location Data for Check-in Purposes	Alabama does not have any statutes or regulations regarding the collection of geolocation data from customers.	Alaska does not have any statutes or regulations regarding the collection of geolocation data from customers.	Arizona does not have any statutes or regulations regarding the collection of geolocation data from customers.
Cold Spa and Sauna Temperature Regulations	Alabama does not have state-level cold spa or sauna temperature requirements.	Alaska does not have state-level cold spa or sauna temperature requirements.	Arizona does not have state-level cold spa or sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	Alabama does not have state-level cold spa lifeguard and sanitation requirements.	Alaska does not have state-level cold spa lifeguard and sanitation requirements.	Arizona does not have state-level lifeguard requirements for cold spas. Spas are required to have a water circulation system that provides complete circulation of water and can maintain water chemistry and clarity requirements. Water circulation systems for spas must have a turnover rate of at least once every 30 minutes.
AED Liability Requirements	Alabama does not require a health studio to have an AED. An individual or entity who in good faith and without compensation uses an AED is immune from civil liability for any personal injury as a result of care or treatment, except damages that may result from the gross negligence of the individual rendering emergency care. This immunity extends to the individual or entity responsible for the site where the AED is located.	Alaska does not require a health club to have an AED. A person who uses or attempts to use an AED device on a victim of a perceived medical emergency is not liable for civil damages resulting from the use or attempted use of the device.	Arizona does not require a health spa to have an AED. A person who uses an AED to render emergency care or assistance in good faith and without compensation is not subject to civil liability for any personal injury that results from any act or omission that does not amount to willful misconduct or gross negligence. The entities that are not subject to civil liability include the owner of the property or facility where the AED is located and a person or entity that provides the AED.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	Alabama does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Alaska does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Arizona does not have service animal access requirements specific to health spas. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.



# State By State Compliance Guide

## Biometrics, Geolocation and Facility Requirements

	Arkansas	California	Colorado
Collection of Fingerprint Scans for Barcode Entry	Arkansas permits businesses to collect fingerprint data as long as that data is protected under the Personal Information Protection Act.	Biometric data is considered personal information. Businesses must comply with the California Consumer Privacy Act and implementing regulations.	Under Colo. Rev. Stat. § 6-1-1314, a data controller (i.e. a business), can collect biometric data on customers, provided the controller adheres to several basic requirements. These include notifying the customer in advance that the data will be collected and providing the customer with a written policy that includes a data retention schedule and data security breach protocols. Biometric data generally must be deleted no more than 24 months after the controller's last interaction with the customer, unless there is a demonstrated need to retain the data longer.
Collection of Customer Location Data for Check-in Purposes	Arkansas statute does not explicitly ban or permit the collection of customers' geolocational data.	Geolocation data is considered personal information. Businesses must comply with the California Consumer Privacy Act and implementing regulations.	Under Colo. Rev. Stat. § 6-1-1308, location data is considered to be personal data. The data controller must provide customers with a written policy that explains a) the purpose for collecting the data, b) third parties the data is shared with (if applicable), and c) the customer's rights regarding their personal data. The controller is also required to establish data security protocols and only collect personal data as necessary.
Cold Spa and Sauna Temperature Regulations	Arkansas does not have state-level cold spa or sauna temperature requirements.	California does not have state-level cold spa or sauna temperature requirements.	Colorado does not have state-level cold spa or sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	Arkansas does not have lifeguard requirements for cold spas. Arkansas does not directly regulate the sanitation of cold spas. According to the Department of Health, cold spas are evaluated on a case-by-case basis.	California does not have lifeguard requirements for cold spas. California does not directly regulate the sanitation of cold spas.	Colorado does not have lifeguard requirements for cold spas. Colorado does not directly regulate the sanitation of cold spas. The Department of Public Health and Environment has been advising private facilities to adhere to the federal CDC'S Model Aquatic Health Code, unless cold spa sanitation is already addressed in local codes.
AED Liability Requirements	Arkansas requires a health spa to have at least one AED on the premises. In addition, a health spa must have at least one employee on shift who has completed an AED and CPR knowledge and skills course. No cause of action against a health spa or its employees may arise in connection with the use or nonuse of an AED unless the health spa has acted with gross negligence.	California requires a health studio to have an AED. In addition, California requires a health studio to train personnel in the use of an AED. An employee of a health studio who renders emergency care or treatment is not liable for civil damages resulting from the use, attempted use, or nonuse of an AED.	Colorado does not require a health club to have an AED. Any person or entity whose primary duties do not include health care and, in good faith and without compensation, renders emergency care or treatment involving an AED shall not be liable for any civil damages. This includes the person or entity responsible for the site where the AED is located.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	Arkansas does not have service animal access requirements specific to health spas. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	California does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Colorado does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.

# State By State Compliance Guide

## Biometrics, Geolocation and Facility Requirements

	Connecticut	Delaware	District of Columbia
Collection of Fingerprint Scans for Barcode Entry	Biometric data is considered personal information. Businesses must comply with the Connecticut Data Privacy and Security Laws and implementing regulations	Biometric data is classified as sensitive data. The data controller must receive the customer's consent to collect and process sensitive data beforehand and also provide a customer with the means for withdrawing consent. The controller must also provide a customer with a written notice of the data privacy policy.	The District of Columbia does not have any statutes or regulations prohibiting the collection of biometric data from customers.
Collection of Customer Location Data for Check-in Purposes	Geolocation data is considered sensitive data. Businesses must comply with the Connecticut Data Privacy and Security Laws and implementing regulations	Fingerprint data is classified as sensitive data. The data controller must receive the customer's consent to collect and process sensitive data beforehand and also provide a customer with the means for withdrawing consent. The controller must also provide a customer with a written notice of the data privacy policy.	The District of Columbia does not have any statutes or regulations prohibiting the collection of geolocation data from customers.
Cold Spa and Sauna Temperature Regulations	Connecticut does not have state-level cold spa or sauna temperature requirements.	Delaware does not have state-level cold spa or sauna temperature requirements.	The District of Columbia does not state-level have cold spa or sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	Connecticut does not have lifeguard requirements for cold spas. Connecticut does not directly regulate the sanitation of cold spas.	Delaware does not have lifeguard requirements for cold spas. Delaware does not directly regulate the sanitation of cold spas.	The District of Columbia does not have lifeguard requirements for cold spas. The District of Columbia does not directly regulate the sanitation of cold spas.
AED Liability Requirements	Connecticut requires a health club to acquire and maintain an AED in a readily accessible location on the premises. In addition, a health club is required to have a trained employee on the premises during all operating hours. A person who uses an AED is immune from liability for ordinary negligence. The immunity does not apply to gross, willful, or wanton negligence. A health club will not be held liable for acts or omissions involving the nonuse of an AED.	Delaware does not require a health spa to have an AED. Any person or entity who authorizes the purchase of an AED, provides training in the use of an AED, or is responsible for the site where the AED is located shall be immune from civil liability for any personal injury not resulting from willful or wanton misconduct or gross negligence.	The District of Columbia does not require a health spa to have an AED. Any person or entity who, in good faith and without compensation, uses an AED to provide emergency care or treatment shall be immune from civil liability for any personal injury resulting from the care or treatment, or resulting from any act or failure to act in providing or arranging further medical treatment.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	Connecticut does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Delaware does not have service animal access requirements specific to health spas. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	The District of Columbia does not have service animal access requirements specific to health spas. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.

# State By State Compliance Guide

## Biometrics, Geolocation and Facility Requirements

	Florida	Georgia	Hawaii
Collection of Fingerprint Scans for Barcode Entry	Florida does not have any statutes or regulations regarding the collection of biometric data from customers.	Georgia does not have any statutes or regulations regarding the collection of biometric data from customers.	Hawaii does not have any statutes or regulations regarding the collection of biometric data from customers.
Collection of Customer Location Data for Check-in Purposes	Florida does not have any statutes or regulations regarding the collection of geolocation data from customers.	Georgia does not have any statutes or regulations regarding the collection of geolocation data from customers.	Hawaii does not have any statutes or regulations regarding the collection of geolocation data from customers.
Cold Spa and Sauna Temperature Regulations	Florida does not have state-level cold spa or sauna temperature requirements.	Georgia does not have state-level cold spa or sauna temperature requirements.	Hawaii does not have state-level cold spa or sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	Florida does not have lifeguard requirements for cold spas.	Georgia does not have lifeguard requirements for cold spas.	Hawaii does not have lifeguard requirements for cold spas.
AED Liability Requirements	Florida does not require a health studio to have an AED. Any person who uses or attempts to use an AED on a victim of a perceived medical emergency, without objection of the victim, is immune from civil liability for any harm resulting from the use or attempted use of the AED. Any person who acquired the AED and makes it available for use is immune from liability if the harm was not due to the failure of such person to properly maintain and test the AED or provide appropriate training in the use of the AED to an employee or agent of the acquirer when the employee or agent was the person who used the device on the victim, with some exceptions.	Georgia does not require a health spa to have an AED. Any person who gratuitously and in good faith renders emergency care or treatment by the use of or provision of an AED without objection of the person to whom care or treatment is rendered is immune from civil liability for any act or omission to act except for acts of willful or wanton misconduct. Immunity also extends to the owner or operator of any premises or conveyance who installs or provides AED equipment on such premises or conveyance.	Hawaii does not require a health club to have an AED. Any person who in good faith, without remuneration or the expectation of, attempts to resuscitate a person in immediate danger of loss of life when administering any AED is not liable for any civil damages resulting from the person's act or omissions except for such damages as may result from the person's gross negligence or wanton acts or omissions. Any person including an employer who provides for an AED is not vicariously liable for any civil damages resulting from any act or omission of the persons or employees who in good faith attempted to resuscitate a person in immediate danger of loss of life by administering an AED except as may result from a person's or employer's gross negligence or wanton acts or omissions.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	Florida does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Georgia does not have service animal access requirements specific to health spas. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Hawaii does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.

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## Biometrics, Geolocation and Facility Requirements

	Idaho	Illinois	Indiana
Collection of Fingerprint Scans for Barcode Entry	Idaho does not have any statutes or regulations regarding the collection of biometric data from customers.	Entities must inform the subject and receive a written release to use a customer's biometric identifier. Entities must comply with the Biometric Information Privacy Act.	Businesses must comply with the Indiana Consumer Data Protection Laws.
Collection of Customer Location Data for Check-in Purposes	Idaho does not have any statutes or regulations regarding the collection of geolocation data from customers.	Illinois does not have any statutes or regulations regarding the collection of geolocation data from customers.	Businesses must comply with the Indiana Consumer Data Protection Laws.
Cold Spa and Sauna Temperature Regulations	Idaho does not have state-level cold spa or sauna temperature requirements.	Effective June 1, 2026, Illinois will require cold-spa facilities to obtain state permitting to maintain water temperatures between 40 and 60 degrees Fahrenheit. A cold spa may not be less than 40 degrees temperature.	Indiana does not have state-level cold spa or sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	Idaho does not have lifeguard requirements for cold spas.	Effective June 1, 2026, cold-spa facilities in Illinois must display clear signage outlining risks and proper use, install non-slip surfaces and visible timers,, and have trained staff present when the spa is in operation. The law also restricts use to individuals age 14 and older.  Additionally, water must be continuously filtered or sanitized, or the water must be drained and replaced with sanitized water each use.	Lifeguards are required at all public pools. The number of lifeguards is dependent on the bather load.
AED Liability Requirements	Idaho does not require a health club to have an AED.	Illinois requires a physical fitness facility to have an AED. In addition, Illinois requires a physical fitness facility to ensure that there is a trained AED user on staff during staffed business hours.  Any AED user who in good faith and without fee or compensation renders emergency medical care involving the use of an AED in accordance with their training is not liable for any civil damages as a result of any act or omission except for willful and wanton misconduct.	Indiana does not require a health spa to have an AED.  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.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	Idaho does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Illinois does not have service animal access requirements specific to physical fitness centers. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Indiana does not have service animal access requirements specific to health spas. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.

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## Biometrics, Geolocation and Facility Requirements

	Iowa	Kansas	Kentucky
Collection of Fingerprint Scans for Barcode Entry	Businesses must comply with the Iowa Consumer Data Protections Laws.	Businesses must comply with the Kansas Protection of Consumer Information Laws.	Biometric data is considered sensitive data. Businesses must comply with the Kentucky Consumer Data Protection Act which becomes effective 1/1/2026.
Collection of Customer Location Data for Check-in Purposes	Businesses must comply with the Iowa Consumer Data Protections Laws.	Businesses must comply with the Kansas Protection of Consumer Information Laws.	Geolocation data is considered sensitive data. Businesses must comply with the Kentucky Consumer Data Protection Act which becomes effective 1/1/2026.
Cold Spa and Sauna Temperature Regulations	Iowa does not have state-level cold spa or sauna temperature requirements.	Kansas does not have state-level cold spa or sauna temperature requirements.	Kentucky does not have cold spa or sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	Iowa does not have lifeguard requirements for cold spas.	Kansas does not have lifeguard requirements for cold spas.	Lifeguards are required at all Class A and Class B pools if the pool facility allows persons 17 years of age or younger to enter the pool facility without a responsible adult 18 years of age or older, contains features such as induced waves or slides, or contains an entry to the pool from a height above the deck. Class B pools include any pool not open to the general public but open to limited groups and their invited guests such as health clubs.
AED Liability Requirements	Iowa does not require a physical exercise club to have an AED. The AED requirement was repealed. A person or entity, while acting reasonably and in good faith, who renders emergency care or assistance relating to the preparation for and response to a sudden cardiac arrest emergency, shall not be liable for any civil damages for acts or omissions arising out of the use of an AED,	Kansas does not require a health club to have an AED. Any person who in good faith renders emergency care or treatment by the use of an AED shall not be held liable for any civil damages as a result of treatment or as a result of any act or failure to act in providing or arranging further medical treatment.	Kentucky does not require a health spa to have an AED. Any person or entity who in good faith and without compensation renders emergency care or treatment by the use of an AED is immune from civil liability for any personal injury as a result of the care or treatment or as a result of any act or failure to act in providing or arranging further medical treatment. The immunity includes the person or entity who provides the AED site placement and responsible for the site where the AED is located.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	Iowa does not have service animal access requirements specific to physical exercise clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Kansas does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Kentucky does not have service animal access requirements specific to health spas. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.

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## Biometrics, Geolocation and Facility Requirements

	Louisiana	Maine	Maryland
Collection of Fingerprint Scans for Barcode Entry	Louisiana does not have any statutes or regulations regarding the collection of biometric data from customers.	Maine does not have any statutes or regulations regarding the collection of biometric data from customers.	Biometric data is classified as "sensitive data". A data controller cannot sell sensitive data collected from a customer. A controller is also required to only collect data that is reasonably necessary to successfully conduct business, create protocols and procedures to effectively protect said data from leaks or breaches, and provide customers with a mechanism to revoke consent for data collection.
Collection of Customer Location Data for Check-in Purposes	Louisiana does not have any statutes or regulations regarding the collection of geolocation data from customers.	Maine does not have any statutes or regulations regarding the collection of geolocation data from customers.	Geolocational data is classified as sensitive data. A data controller cannot sell sensitive data collected from a customer. A controller is also required to only collect data that is reasonably necessary to successfully conduct business, create protocols and procedures to effectively protect said data from leaks or breaches, and provide customers with a mechanism to revoke consent for data collection.
Cold Spa and Sauna Temperature Regulations	Louisiana does not have cold spa or sauna temperature requirements.	Maine does not have cold spa or sauna temperature requirements.	Maryland does not have cold spa or sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	Louisiana does not have lifeguard requirements for cold spas.	Every spa without a lifeguard must post a conspicuous sign near it stating that there is no lifeguard on duty and that all children must be supervised in the spa area.	Maryland does not have lifeguard requirements for public spas in statute or regulation, besides requiring a sign warning customers to use the spa at their own risk when a lifeguard is not there. According to the Department of Health, cold spas are being held to the same sanitation requirements as hot tubs under COMAR Chapter 10.17.01.
AED Liability Requirements	Louisiana requires a physical fitness facility or physical fitness center to have an AED on its premises. In addition, Louisiana requires routine testing and maintenance as prescribed by the manufacturer. A person who in good faith renders emergency care is not liable for any civil damages as a result of any act or omission in rendering the care or services, or as a result of any act or failure to act to provide or arrange for further medical treatment or care for the person involved in the emergency.	Maine does not require a health studio to have an AED. Any person or entity that acquires an AED, any person or entity that owns, manages, or is otherwise responsible for the premises on which the AED is located, and any person who retrieves or who uses, attempts to use, or fails to use an AED in response to a perceived sudden cardiac arrest emergency is immune from civil liability for damages relating to the use, possession, or purchase of an AED and arising out of acts or omissions relating to preparing for and responding to suspected sudden cardiac arrest emergencies absent gross negligence or willful or wanton misconduct.	Maryland does not require a health club to have an AED. Generally, a person providing emergency aid is immune for civil liability in Maryland unless that person commits gross negligence or fails to relinquish care of the victim to emergency medical personnel.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	Louisiana does not have service animal access requirements specific to physical fitness centers. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Maine does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Maryland does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.



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## Biometrics, Geolocation and Facility Requirements

	Massachusetts	Michigan	Minnesota
Collection of Fingerprint Scans for Barcode Entry	Massachusetts does not have any statutes or regulations regarding the collection of biometric data from customers.	Michigan does not have any statutes or regulations regarding the collection of biometric data from customers.	Biometric data is considered sensitive data. Businesses must comply with the Minnesota Consumer Data Privacy Act.
Collection of Customer Location Data for Check-in Purposes	Massachusetts does not have any statutes or regulations regarding the collection of geolocation data from customers.	Michigan does not have any statutes or regulations regarding the collection of geolocation data from customers.	Geolocation data is considered sensitive data. Businesses must comply with the Minnesota Consumer Data Privacy Act.
Cold Spa and Sauna Temperature Regulations	Massachusetts does not have cold spa temperature requirements. Sauna heaters must be equipped with a thermostat that will limit the room temperature to not greater than 194 degrees Fahrenheit.	Michigan does not have cold spa temperature requirements.	Minnesota does not have cold spa or sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	The Board of Health determines if lifeguards are necessary for the safe use of the swimming or wading pool based on the size, shape, and capacity. If no lifeguards are required, a warning sign must state that no lifeguard is on duty.	Michigan does not have lifeguard requirements for cold spas.	An individual currently certified in first aid and adult, child, and infant CPR must be on duty at all times the pool is open to use unless a sign warning that a lifeguard is not present is posted.
AED Liability Requirements	Massachusetts requires a health club to have at least one AED. No cause of action against a health club or its employees may arise in connection with the use or non-use of a defibrillator absent a showing of gross negligence or willful or wanton misconduct.	Michigan requires a health club to have an AED. A person including a health club owner, operator, or employee does not have a duty to render emergency service to an individual using an AED that a health club has on the premises. An individual who having no duty to do so in good faith voluntarily renders emergency services to another individual using an AED is not liable in a civil action for damages resulting from the act or omission in rendering the emergency services using the AED except an act or omission that constitutes gross negligence or willful and wanton misconduct. An individual or entity that owns, occupies, or manages the premises where an AED is located or used is also not liable in a civil action for damages.	Minnesota does not require a health club to have an AED. A person who without compensation or the expectation of it renders emergency care, advice, or assistance at the scene of an emergency is not liable for civil damages.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	Water facilities including swimming pools, lap pools, wading pools, diving pools, whirlpools, and jacuzzis must be accessible and have either a wide ramp with a slip resistant surface, lifting device, or raised coping. There must be an accessible route around such pools.	None	None
Service Animal Access Requirements - Emotional Support Animals	Massachusetts does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Michigan does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Minnesota does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.

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## Biometrics, Geolocation and Facility Requirements

	Mississippi	Missouri	Montana
Collection of Fingerprint Scans for Barcode Entry	Mississippi does not have any statutes or regulations regarding the collection of biometric data from customers.	Missouri does not have any statutes or regulations prohibiting the collection of biometric data from customers.	Montana does not have any statutes or regulations prohibiting the collection of biometric data from customers.
Collection of Customer Location Data for Check-in Purposes	Mississippi does not have any statutes or regulations regarding the collection of geolocation data from customers.	Missouri does not have any statutes or regulations prohibiting the collection of geolocation data from customers.	Montana does not have any statutes or regulations prohibiting the collection of geolocation data from customers.
Cold Spa and Sauna Temperature Regulations	Mississippi does not have cold spa or sauna temperature requirements. The Mississippi State Department of Health recommends following the CDC's Model Aquatic Health Code.	Missouri does not have cold spa and sauna temperature requirements.	Montana does not have cold spa or sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	Mississippi does not have lifeguard requirements in statute or rule. The Mississippi State Department of Health recommends following the CDC's Model Aquatic Health Code.	Missouri does not have lifeguard and sanitation requirements for cold spas.	Montana does not have lifeguard and sanitation requirements for cold spas.
AED Liability Requirements	Mississippi does not require a health spa to have an AED. Any person who in good faith renders emergency care or treatment by the use of an AED and the person responsible for the site where the AED is located are immune from civil liability for any personal injury as a result of that care or treatment.	Missouri does not require a health spa to have an AED. Any person who gratuitously and in good faith renders emergency care by use of or provision of an automated external defibrillator shall not be held liable for any civil damages as a result of such care or treatment.	Montana does not require a health club to have an AED. An individual who provides emergency care or treatment by using an AED and an individual providing cardiopulmonary resuscitation to an individual upon whom an AED is or may be used are immune from civil liability for a personal injury that results from that care or treatment unless the individuals act with gross negligence or with willful or with wanton disregard for the care.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	Mississippi does not have service animal access requirements specific to health spas. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Missouri does not have service animal access requirements specific to health spas. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Montana does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.



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## Biometrics, Geolocation and Facility Requirements

	Nebraska	Nevada	New Hampshire
Collection of Fingerprint Scans for Barcode Entry	Nebraska does not have any statutes or regulations regarding the collection of biometric data from customers	Businesses must destroy records containing personal information of customers when the business decides it will no longer maintain the records and implement security measures to protect records from unauthorized access, acquisition, destruction, use, modification, or disclosure. Security breaches must also be disclosed to any resident whose unencrypted personal information was or is reasonably believed to have been acquired by an authorized person.	New Hampshire does not have any statutes or regulations regarding the collection of biometric data from customers
Collection of Customer Location Data for Check-in Purposes	Nebraska does not have any statutes or regulations regarding the collection of geolocation data from customers.	Businesses must destroy records containing personal information of customers when the business decides it will no longer maintain the records and implement security measures to protect records from unauthorized access, acquisition, destruction, use, modification, or disclosure. Security breaches must also be disclosed to any resident whose unencrypted personal information was or is reasonably believed to have been acquired by an authorized person.	New Hampshire does not have any statutes or regulations regarding the collection of geolocation data from customers.
Cold Spa and Sauna Temperature Regulations	Nebraska does not have cold spa or sauna temperature regulations.	Water temperature in a therapy pool must be maintained above 70 degrees Fahrenheit. Nevada does not have sauna temperature requirements.	New Hampshire does not have cold spa or sauna temperature regulations.
Cold Spa Lifeguard and Sanitation Compliance	Nebraska does not have lifeguard and sanitation requirements for cold spas.	Lifeguards are not required for isolation and float tanks, spray pools, mineral baths, therapeutic pools, or similar facilities.	New Hampshire does not have cold spa lifeguard and sanitation requirements.
AED Liability Requirements	None	Nevada does not require a health club to have an AED. However, any employee who will use a defibrillator is required to complete the training requirements of a course in basic emergency care of a person in cardiac arrest including the operation and use of an AED. Any person who renders emergency care or assistance in an emergency gratuitously and in good faith is not liable for any civil damages as a result of any act or omission not amounting to gross negligence. A business or organization that has placed an AED for use on its premises is not liable for any civil damages.	New Hampshire does not require a health club to have an AED. Any person who, in good faith and without compensation, renders emergency care by the use of an automated external defibrillator shall not be liable for civil damages for any acts or omissions unless the acts or omissions were grossly negligent or willful and wanton. Any person, association, corporation or other organization that acquires and maintains an automated external defibrillator for emergency care shall not be liable for civil damages other than for gross negligence or willful and wanton acts or omissions. This section shall not limit civil liability protection provided by any other law.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	Nebraska does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Nevada does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	New Hampshire does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.

# State By State Compliance Guide

## Biometrics, Geolocation and Facility Requirements

	New Jersey	New Mexico	New York
Collection of Fingerprint Scans for Barcode Entry	In accordance with the New Jersey Data Privacy Law, biometric data is classified as personal data. A controller must provide consumers with a reasonably accessible and clear privacy notice and maintain reasonable personal data security practices. Consumers must have a readily accessible means to revoke consent.	New Mexico does not have any statutes or regulations regarding the collection of biometric data from customers.	New York State does not have any statutes or regulations regarding the collection of biometric data from customers. New York City does have a law requiring the disclosure of the collection of biometric data from customers.
Collection of Customer Location Data for Check-in Purposes	In accordance with the New Jersey Data Privacy Law, geolocation data is classified as personal data. A controller must provide consumers with a reasonably accessible and clear privacy notice and maintain reasonable personal data security practices. Consumers must have a readily accessible means to revoke consent.	New Mexico does not have any statutes or regulations regarding the collection of geolocation data from customers.	New York State does not have any statutes or regulations regarding the collection of geolocation data from customers.
Cold Spa and Sauna Temperature Regulations	New Jersey does not have cold spa or sauna temperature requirements.	New Mexico does not have cold spa or sauna temperature requirements. The state rule incorporates the CDC's Model Aquatic Health Code.	New York does not have cold spa or sauna temperature requirements. New York City has sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	New Jersey does not have cold spa lifeguard and sanitation requirements. The Department of Public Health is drafting guidance for cold spa sanitation.	New Mexico does not have cold spa lifeguard and sanitation requirements.	New York does not have cold spa lifeguard and sanitation requirements.
AED Liability Requirements	New Jersey requires a health club to have at least one AED. Health club owners and operators are required to routinely test the AED(s) and ensure that there is at least one staff member on duty during normal business hours who is certified to use the AED. Civil immunity is granted to any person or entity who, in good faith, provides or uses an AED in a medical emergency, assuming no gross negligence or wanton misconduct.	New Mexico does not require a health spa to have an AED. However, a good samaritan who renders emergency care or treatment by the use of an AED is not subject to civil liability provided that they acted without willful, wanton, or reckless behavior that is the cause of injury or death. A person that acquires, provides, or makes available to the public an AED, as well as the owner, manager, or operator of the property or facility where the AED is located, is not subject to civil liability provided that they have acted with reasonable care.	New York requires a health spa with 55 members or more to have an AED and a staff member who is certified in the use of the AED during staffed business hours.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	New Jersey does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	New Mexico does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	New York does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.

# State By State Compliance Guide

## Biometrics, Geolocation and Facility Requirements

	North Carolina	North Dakota	Ohio
Collection of Fingerprint Scans for Barcode Entry	North Carolina does not have any statutes or regulations regarding the collection of biometric data from customers.	North Dakota does not have any statutes or regulations regarding the collection of biometric data from customers.	There are no restrictions on the collection of fingerprint or biometric data within Ohio statute or regulations.
Collection of Customer Location Data for Check-in Purposes	North Carolina does not have any statutes or regulations regarding the collection of geolocation data from customers.	North Dakota does not have any statutes or regulations regarding the collection of geolocation data from customers.	There are no restrictions on the collection of geolocation data within Ohio statute or regulations.
Cold Spa and Sauna Temperature Regulations	North Carolina does not have cold spa or sauna temperature requirements.	North Dakota does not have cold spa or sauna temperature requirements.	Ohio does not have cold spa or sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	North Carolina does not cold spa lifeguard and sanitation requirements.	North Dakota does not have cold spa lifeguard and sanitation requirements.	Ohio does not have cold spa lifeguard and sanitation requirements.
AED Liability Requirements	North Carolina does not require a health spa to have an AED. Any person who voluntarily and without expectation of compensation renders first aid or emergency health care treatment to a person who is unconscious, ill, or injured is not liable for damages for injuries alleged to have been sustained by the person or for damages for the death of the person alleged to have occurred by reason of an act or omission unless the injuries were or the death was caused by gross negligence, wanton conduct, or intentional wrongdoing.	North Dakota does not require a health club to have an AED. Any person who in good faith and without compensation uses an AED is immune from civil liability for any personal injury resulting from the emergency care or emergency treatment and for any act or failure to act in providing or arranging further medical treatment if the person providing the emergency care or emergency treatment acted as an ordinary, reasonable, prudent person would act under the same or similar circumstances. This subsection does not apply if a personal injury results from gross negligence or from the willful or wanton misconduct of the person. The immunity applies to the person who provides the training and the person responsible for the site on which the AED is located. This section does not limit civil liability protection provided by another law.	Ohio does not require a health spa to have an AED. Except in the case of willful or wanton misconduct, no person shall be held liable in civil damages for injury, death, or loss to person or property for: a) providing training in AED use and cardiopulmonary resuscitation; b) authorizing, directing, or supervising the installation or placement of an AED; c) designing, managing, or operating a cardiopulmonary resuscitation or AED program; d) acquiring an AED; or e) owning, managing, or having responsibility for a premises or location where an AED has been placed.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	North Carolina does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	North Dakota does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Ohio does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.

# State By State Compliance Guide

## Biometrics, Geolocation and Facility Requirements

	Oklahoma	Oregon	Pennsylvania
Collection of Fingerprint Scans for Barcode Entry	There are no restrictions on the collection of fingerprint or biometric data within Oklahoma statute or regulations.	Fingerprint scans are considered personal data under the Oregon Consumer Privacy Law. Fingerprint scans can be conducted in accordance with the Law, including by gaining the consumer's consent before processing personal data and providing the consumer with a clear means to revoke consent for processing personal data.	There are no restrictions on the collection of fingerprint or biometric data within Pennsylvania statute or regulations.
Collection of Customer Location Data for Check-in Purposes	There are no restrictions on the collection of geolocation data within Oklahoma statute or regulations.	Locational data are considered personal data under the Oregon Consumer Privacy Law. Locational data can be collected in accordance with the Law, including by gaining the consumer's consent before processing personal data and providing the consumer with a clear means to revoke consent for processing personal data.	There are no restrictions on the collection of geolocation data within Pennsylvania statute or regulations.
Cold Spa and Sauna Temperature Regulations	Oklahoma does not have cold spa or sauna temperature requirements.	Oregon does not have cold spa or sauna temperature requirements.	Pennsylvania does not have cold spa or sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	Oklahoma does not have cold spa lifeguard and sanitation requirements. According to the State Department of Health, cold spa sanitation would only be regulated by local authorities at their own discretion.	Oregon does not have lifeguard requirements for cold spas. Cold and hot spas must be drained, scrubbed or wiped, and then refilled with fresh water at least once every 30 days.	Pennsylvania does not have cold spa lifeguard and sanitation requirements.
AED Liability Requirements	Oklahoma does not require a health spa to have an AED. An entity or individual who owns, leases, possesses, or otherwise controls an AED shall be immune from civil liability for personal injury which results from the use of the device, except for acts of gross negligence or willful or wanton misconduct.	Oregon requires a health club to have at least one AED. A person may not bring a cause of action against another person for damages for injury, death, or loss that result from acts or omissions involving an AED when the other person: a) used or attempted to use an AED; b) was present when an AED was used or should have been used; c) provided training in the use of an AED; or d) possesses or controls one or more AEDs placed in a public setting.	Pennsylvania requires a health club to have a person who during staffed hours who is trained in CPR. During unstaffed hours, a health club can forgo this requirement if it has an AED. An individual providing an AED is immune from civil liability provided staff on-site (if any) are trained and that the AED is properly maintained and regularly tested.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	Oklahoma does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Oregon does not have service animal access requirements specific to health spas. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Pennsylvania does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.

# State By State Compliance Guide

## Biometrics, Geolocation and Facility Requirements

	Rhode Island	South Carolina	South Dakota
Collection of Fingerprint Scans for Barcode Entry	Biometric data is considered personal and sensitive data. Businesses must comply with the Rhode Island Data Transparency and Privacy Protection Act and implementing regulations.	South Carolina does not have any statutes or regulations regarding the collection of biometric data from customers.	South Dakota does not have any statutes or regulations regarding the collection of biometric data from customers.
Collection of Customer Location Data for Check-in Purposes	Geolocation data is considered precise geolocation data and sensitive data. Businesses must comply with the Rhode Island Data Transparency and Privacy Protection Act and implementing regulations.	South Carolina does not have any statutes or regulations regarding the collection of geolocation data from customers.	South Dakota does not have any statutes or regulations regarding the collection of geolocation data from customers.
Cold Spa and Sauna Temperature Regulations	Rhode Island does not have cold spa or sauna temperature requirements.	South Carolina does not have cold spa or sauna temperature requirements.	South Dakota does not have cold spa or sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	Rhode Island does not have cold spa lifeguard and sanitation requirements.	South Carolina does not have cold spa lifeguard and sanitation requirements.	South Dakota does not have cold spa lifeguard and sanitation requirements.
AED Liability Requirements	Rhode Island requires a health club to have an AED and an employee each shift trained in AED use and CPR. A person who uses an AED is immune from liability for civil damages for any personal injuries which result from acts or omissions by such persons rendering the emergency care, which may constitute ordinary negligence. This immunity does not apply to acts or omissions constituting gross, willful, or wanton negligence. This immunity extends to persons providing approved training in the use AED. Property lessees and owners where the emergency assistance occurs as well as the owners of the AED also enjoy immunity from liability.	South Carolina does not require a physical fitness center to have an AED. Any person acting in good faith and gratuitously is immune from civil liability for the application of an AED unless the person was grossly negligent in the application.	South Dakota does not require a health club to have an AED. Any person, who in good faith obtains, uses, attempts to use, or chooses not to use an AED in providing emergency care or treatment, is immune from civil liability for any injury as a result of such emergency care or treatment or as a result of an act or failure to act in providing or arranging such medical treatment.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	Rhode Island does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	South Carolina does not have service animal access requirements specific to physical fitness centers. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	South Dakota does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.



# State By State Compliance Guide

## Biometrics, Geolocation and Facility Requirements

	Tennessee	Texas	Utah
Collection of Fingerprint Scans for Barcode Entry	Under the Tennessee Information Protection Act, biometric data is classified as sensitive data. A controller is required to limit the collection of sensitive data to what is adequate, relevant, and reasonably necessary. The controller must also implement reasonable data security practices. A controller must provide a privacy notice that explains: a) the categories of data being processed; b) how consumers may exercise their rights, including the right to have the controller delete the consumer's sensitive data if it is not aggregate or de-identified; and c) the categories of sensitive data sold to third parties and what kind of third parties are receiving the data.	Biometric data may not be captured for commercial purpose unless the customer is informed before hand and customer gives consent.	In accordance with the Utah Consumer Privacy Act, a controller must provide consumers with a reasonably accessible and clear privacy notice and maintain reasonable administrative, technical, and physical data security practices. Consumers have the ability to opt out.
Collection of Customer Location Data for Check-in Purposes	Under the Tennessee Information Protection Act, location data is classified as sensitive data. A controller is required to limit the collection of sensitive data to what is adequate, relevant, and reasonably necessary. The controller must also implement reasonable data security practices. A controller must provide a privacy notice that explains: a) the categories of data being processed; b) how consumers may exercise their rights, including the right to have the controller delete the consumer's sensitive data if it is not aggregate or de-identified; an c) the categories of sensitive data sold to third parties and what kind of third parties are receiving the data.	Texas does not have any restrictions on the capture of customer location data for check-in purposes.	In accordance with the Utah Consumer Privacy Act, a controller must provide consumers with a reasonably accessible and clear privacy notice and maintain reasonable administrative, technical, and physical data security practices. Consumers have the ability to opt out.
Cold Spa and Sauna Temperature Regulations	Tennessee does not have cold spa or sauna temperature requirements.	Texas does not have cold spa or sauna temperature requirements.	The minimum water temperature for a pool is 78 degrees Fahrenheit. The local health officer may grant an exemption to the pool water temperature requirements for a special purpose pool, including a cold plunge pool. Utah does not have sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	Tennessee does not have cold spa lifeguard and sanitation requirements.	Texas does not have cold spa lifeguard and sanitation requirements.	Lifeguards are necessary if direct fees are charged or public funds support the operation of the pool. Signs must be posted stating that lifeguard service is not provided at all other pools.
AED Liability Requirements	Tennessee does not require a health club to have an AED. A facility that enacts an AED program for equipping the facility with an AED, training staff to properly use an AED, and maintaining and testing the AED shall not be civilly liable for any personal injury that results from an act or omission related to the use or maintenance of the AED that does not amount to willful or wanton misconduct or gross negligence.	Texas does not require a health spa to have an AED. A person who in good faith uses an AED is not liable for civil damages unless the act is willfully or wantonly negligent.	Utah does not require a health spa to have an AED. A person who renders emergency care at, near the scene of, or during an emergency gratuitously and in good faith is not liable for any civil damages or penalties as a result of any act or omission by the person rendering the emergency care unless the person is grossly negligent or caused the emergency.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	Tennessee does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Texas does not have service animal access requirements specific to health spas. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Utah does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.

# State By State Compliance Guide

## Biometrics, Geolocation and Facility Requirements

	Vermont	Virginia	Washington
Collection of Fingerprint Scans for Barcode Entry	Vermont does not have any statutes or regulations regarding the collection of biometric data from customers.	Businesses must comply with the Virginia Consumer Data Protection Act when collecting biometric data. This includes responsibilities to acquire consent before procuring biometric data and protecting biometric data with confidentiality	Businesses must comply with the Washington Consumer Protection Act when collecting biometric data. This includes responsibilities to acquire consent before procuring biometric data and protecting biometric data with confidentiality.
Collection of Customer Location Data for Check-in Purposes	Vermont does not have any statutes or regulations regarding the collection of geolocation data from customers.	Businesses must comply with the Virginia Consumer Data Protection Act when collecting geolocation data. This includes responsibilities to acquire consent before procuring geolocation data and protecting geolocation data with confidentiality	Businesses must comply with the Washington Consumer Protection Act when collecting geolocation data. This includes responsibilities to acquire consent before procuring geolocation data and protecting geolocation data with confidentiality
Cold Spa and Sauna Temperature Regulations	Vermont does not have cold spa or sauna temperature requirements. The Vermont Department of Health recommends following the CDC's Model Aquatic Health Code.	Virginia does not have cold spa or sauna temperature requirements.	Washington does not have cold spa or sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	Vermont does not have cold spa lifeguard and sanitation requirements.	Virginia does not have code spa lifeguard and sanitation requirements.	<p>If a cold spa is in the same enclosure as a pool, it is subject to the most stringent monitoring applicable, unless there is a barrier that restricts access between the pools.</p> <p>A cold spa is considered a spa pool. Spa pools operators must comply with the state's water quality requirements, which include continuous disinfection, daily removal of any scum or debris, and closure during a contamination event.</p>
AED Liability Requirements	Vermont does not require a health spa to have an AED. However, any person who acts in good faith and who renders emergency care by the use of an AED, acquires an AED, or owns a premises on which an AED is located is not be liable for civil damages for that person's acts or omissions with respect to such use unless those acts or omissions were grossly negligent or willful and wanton.	Virginia requires a health club to have an AED. Anyone who operates an AED at the scene of an emergency, trains others to operate AEDs, or orders AEDs is immune from civil liability for any personal injury that results from any act or omission in the use of an AED in an emergency where the person using the AED acts ordinarily and with reasonable prudence.	Washington requires a fitness center to have an AED and a staff trained in AED use. Any person who without compensation or the expectation of compensation renders emergency care will not be liable for civil damages resulting from any act or omission in the rendering of such emergency, other than acts or omissions constituting gross negligence or willful or wanton misconduct.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	Vermont does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Virginia does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Washington does not have service animal access requirements specific to health studios. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.

# State By State Compliance Guide

## Biometrics, Geolocation and Facility Requirements

	West Virginia	Wisconsin	Wyoming
Collection of Fingerprint Scans for Barcode Entry	Data controllers are required to notify a customer if their data has been breached.	Wisconsin does not have any statutes or regulations prohibiting the collection of biometric data from customers.	Wyoming does not have any statutes or regulations prohibiting the collection of biometric data from customers.
Collection of Customer Location Data for Check-in Purposes	Data controllers are required to notify a customer if their data has been breached.	Wisconsin does not have any statutes or regulations prohibiting the collection of geolocation data from customers.	Wyoming does not have any statutes or regulations prohibiting the collection of geolocation data from customers.
Cold Spa and Sauna Temperature Regulations	West Virginia does not have cold spa or sauna temperature requirements.	Wisconsin does not have cold spa or sauna temperature requirements.	Cold spas are considered spa pools. There is no minimum temperature requirement, only a maximum temperature of 104 degrees Fahrenheit. Wyoming does not have sauna temperature requirements.
Cold Spa Lifeguard and Sanitation Compliance	West Virginia does not have state-level cold spa lifeguard and sanitation requirements. According to the Department of Health, cold spa sanitation would only be regulated by local authorities at their own discretion.	Wisconsin does not have cold spa lifeguard and sanitation requirements.	Wyoming does not have cold spa lifeguard and sanitation requirements.
AED Liability Requirements	West Virginia does not require a health spa to have an AED. A person is not liable for civil damages as a result of any act or omission involving the use of an AED if the care or treatment does not amount to gross negligence and the following conditions are met: 1) the person, entity, certified trainer or medical director of the early defibrillation program is in compliance with law and 2) the person is an unanticipated operator who gratuitously and in good faith rendered emergency medical care.	Wisconsin requires a fitness centers to have at least one employee who has current proficiency in the use of an AED present on the premises during operating hours. A person who uses an AED and the owner of the AED are immune from civil liability for the acts or omissions of a person in rendering in good faith emergency care by use of an AED to an individual who appears to be in cardiac arrest. The immunity does not extend to a person whose act or omission constitutes gross negligence.	Wyoming does not require a health club to have an AED. The use of AED by any person or the person responsible for the site is immune from civil liability, unless the harm was caused by willful or criminal misconduct, gross negligence, reckless misconduct, or a conscious flagrant indifference to the safety of the victim who was harmed.
Youth Access & Age Restrictions	None	None	None
State mandates on accessible design (beyond ADA)	None	None	None
Service Animal Access Requirements - Emotional Support Animals	West Virginia does not have service animal access requirements specific to health spas. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Wisconsin does not have service animal access requirements specific to fitness centers. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.	Wyoming does not have service animal access requirements specific to health clubs. A service animal is allowed in areas where the public is allowed. Emotional support animals are not included.



## Connect with the Health & Fitness Association

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The background of the image is a solid dark blue. Overlaid on this are several concentric circles that originate from the bottom right and expand towards the top left. These circles are composed of thin, slightly irregular lines in a lighter blue and a golden-yellow color. In the center of these circles, there is a faint, circular seal or crest. The seal features a central emblem surrounded by text in a circular border, though the details are too light to read clearly.

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