

**367.905 Registration of health spa -- Annual registration statement and fee -- Surety bond -- Separate locations.**

- (1) Any person, corporation, partnership, association, or group intending to open or operate a health spa within the Commonwealth, shall:
  - (a) File a registration statement, accompanied by a one hundred dollar (\$100) initial registration fee, with the Attorney General's Division of Consumer Protection prior to the sale of any memberships in the Commonwealth of Kentucky. Such a registration statement shall contain the name and address of the health spa; the names and addresses of the officers, directors, and stockholders of the health spa and its parent corporation, if such an entity exists; the type of available facilities; approximate size of the health spa measured in square feet; whether or not a shower area is provided; the names and addresses of employees and their respective qualifications for employment in the health spa field; type of membership plans to be offered and their cost; and a full and complete disclosure of any completed or pending litigation initiated against the health spa and any of its officers or directors within the last three (3) years.
  - (b) Prior to the sale of any memberships in the Commonwealth of Kentucky, provide the Attorney General's Division of Consumer Protection with a surety bond meeting the requirements of KRS 367.906.
- (2) A new registration statement, accompanied by an annual registration fee of fifty dollars (\$50), shall be filed with the Attorney General's Division of Consumer Protection on or before July 1 of each year following the opening of the health spa.
- (3) Each health spa selling contracts on a prepayment basis shall deposit all funds received from such contracts in an escrow account until the health spa has remained open for a period of thirty (30) days. At the end of this thirty (30) day period, such prepayment funds shall be eligible for withdrawal at the depositor's discretion.
- (4) Each health spa registering pursuant to this statute shall maintain in the files of the health spa, a copy of its registration statement filed pursuant to this section. This registration statement shall be made available for inspection by current health spa members or prospective purchasers of health spa memberships.
- (5) The registration fees required by this section shall be credited to a trust or agency account for the administrative purposes of the Attorney General's Division of Consumer Protection, as set forth in KRS 367.900 to 367.930.
- (6) Each separate location where health spa services are offered shall be considered a separate health spa and shall file a separate registration statement and surety bond, even though the separate locations are owned or operated by the same owner.

**Effective:** July 15, 1988

**History:** Amended 1988 Ky. Acts ch. 367, sec. 6, effective July 15, 1988. -- Created 1982 Ky. Acts ch. 298, sec. 2, effective July 15, 1982.

**2020-2022 Budget Reference.** See State/Executive Branch Budget, 2020 Ky. Acts ch. 92, Pt. I, A, 19, (5) at 858.