

State Health Club Consumer Protections Statutes - Automatic Renewal Restrictions

State	Section of Statute	Summary	Language
Arkansas	β 4-94-107.	No apparent restrictions.	No contract for health spa services shall require payments or financing by the buyer over a period of more than 36 months; the term of the contract shall be measured by or be for the life of the buyer; however, the availability of the health spa services shall be guaranteed for a period of 36 months from the date the contract is entered into, with the right to renew for additional periods of equal length.
Colorado	6-1-704. (VII)	Buyer must affirm renewal option for reasonable consideration within 6 months of contract expiration.	The annual renewal option for continued membership contained in the membership contract shall be available to the member for reasonable consideration on or before the expiration of the membership contract.
Connecticut	§ 21a-219. (b)	No apparent restrictions	(b) No contract shall contain an automatic renewal clause except for a renewal for a period that shall not exceed 36 months and shall become effective only upon payment of the renewal price and such contract shall permit the price of the renewal to be increased or decreased not to increase or decrease unless the contract: (1) Discloses the amount of such an increase or decrease in writing, no less than one month prior to such increase or decrease, and (2) provides the information is otherwise provided to the buyer, in writing, no less than one month prior to such increase or decrease by electronic mail or facsimile and shall become effective only upon payment of the renewal price.
Delaware	§ 4208.	No apparent restriction. Must be on separate written agreement.	If the original health spa contract complies with the chapter, or was entered into prior to January 1, 2008, the provisions of this chapter including, without limitation, refund and fee provisions shall continue to apply to the contract in compliance with the provisions of this chapter.
D.C.	β 28-3817.	No apparent restriction – somewhat unclear.	(b) Every contract containing a health spa sale shall: (1) be in writing; (2) if renewable in whole or part, require the buyer's separate signature and payment for renewal.
Florida	§ 501.017. (e)	Buyer must affirm renewal within 60 days of contract expiration.	A provision that the initial contract will not be for a period in excess of 36 months, and there shall be no automatic renewal of the contract until 60 days or less before the preceding contract expires.
Georgia	§ 10-1-393.2. (1) (3)(D)	Intent of statute is unclear.	There can be no complimentary, compensatory, or other extensions of the term incident to the contract, but there may be an extension provided that an agreement of both parties to extend the term of the contract to compensate for a change in circumstances or a condition arising after the member joined shall not be considered to bring the spa into noncompliance with this code.
Hawaii	§ 486N-8 (a) and (b)	Prohibits automatic renewal.	(a) Every health club contract shall specify the duration of the contract. The unexpired, aggregated term of the contract shall not exceed thirty-six months per buyer. In no case shall a health club contract be measured by the life of the buyer. (b) A health club contract may not contain an automatic renewal clause.

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Illinois	§ 815 ILCS 645/8. (b)	Renewal for periods of not more than one year allowed with reasonable consideration not less than 10% of the cash price of the original membership.	No contract for physical fitness services shall require payments or financing over a period in excess of one year by the life of the customer. The initial term of services to be rendered under the contract may not exceed one year. A customer may be given an option to renew the contract for consecutive periods of not more than one year.
Indiana	§ 24-5-7-3. (b)	Renewal allowed for not less than \$24/year.	(b) The term of a contract may not exceed three (3) years from the date that the contract is entered into. The minimum contract must be at least twenty-four dollars (\$ 24) per year.
Iowa	552.8	Prohibits automatic renewal.	A physical exercise club contract shall not have a duration longer than thirty-six months. If a contract is renewed, the contract shall not contain an automatic renewal clause.
Maryland	§ 14-12B-06. (a)	Intent of statute is unclear.	Automatic renewal clauses. -- A health club services agreement may not contain an automatic renewal clause unless it is accepted by the buyer.
Massachusetts	§ 80.	Consumer must affirm intent to renew upon expiration of original contract.	No contract for health club services shall be for a term longer than thirty-six months, except for a shorter or longer period not to exceed thirty-six months.
Nevada	§ 598.948. (8)	Prohibits automatic renewal.	Each contract between the buyer and the dance studio or health club must: (8.) Not contain an automatic renewal clause.
New Hampshire	§ 358-I:5. (I.)	Consumer must affirm intent to renew within 90 days of contract expiration.	No term contract for health club services shall be for a term of more than one year, nor shall a contract provide for a renewal option for continued membership, but any such renewal option may be exercised only if the contract for health club services be renewed more than 90 days before the expiration of the term contract or other membership contract. The price of any renewal contract may not exceed the annualized price of any subsequent term contract or other membership contract.
New Jersey	§ 56:8-42.	Intent of statute is unclear.	A health club services contract shall not obligate the buyer to renew the contract.
New York	§ 622-a. (10) (d)	Prohibits automatic renewal.	That the term of either option be no more than twelve months and that the membership contract shall not contain an automatic renewal clause.
Pennsylvania	§ 2164. (b)	Consumer must affirm intent to renew upon expiration of each contract term.	RENEWAL.-- No health club contract may contain an automatic renewal clause, unless the contract provides for a renewal option that is exercised by the buyer at the expiration of each contract term.

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Rhode Island	§ 5-50-5. (a)	Consumer must affirm intent to renew upon expiration of contract.	No contract for health club services shall be for a term longer than twenty-four (24) months; for a similar, shorter or longer period not to exceed twenty-four (24) months.
South Carolina	§ 44-79-60. (3)	Intent of statute is unclear.	A contract for physical fitness services may contain clauses which: (3) provide for a renewal all of the renewal price. Any renewal option may be exercised only near the expiration of an
Tennessee	47-18-305.	Consumer must affirm intent to renew at beginning of the renewal period.	<p>(iv) There are no automatic or lifetime renewals of the term incident to the term of this contract the buyer at the beginning of the renewal period. If the health club facility is less than or equal less than thirty percent (30%) of the annualized cost of the base membership contract or seven (10,000) square feet (gross) of building space, then the annual cost of such renewal shall not exceed five dollars (\$125) whichever is greater. Payment of any renewal shall be made as required by law.</p> <p>(v) A contract or agreement may have a continuing provision or stipulation that provides for a continuing portion of the agreement after fulfilling the original term of the agreement by ten percent (10%) of the original price. If the contract or agreement has a continuing provision or stipulation, notifications must be sent by the health club operator by registered mail.</p> <p>(vi) Any renewal right granted under this contract shall expire on the final day of the agreement right in which to exercise any renewal right granted to the buyer under this contract. The option shall be exercised on or before the expiration date as stipulated in the agreement of any future renewal periods.</p>
Virginia	§ 59.1-299.	No apparent restrictions.	<p>No health spa contract shall have a duration for a period longer than thirty-six months, including:</p> <ol style="list-style-type: none"> 1. Any initiation fee does not exceed ten times the initial monthly fee; 2. All payments for health spa services, other than the initiation fee, are collected as monthly payments; 3. After an initial term of not more than twelve months, either party may cancel the health spa contract; 4. The monthly fee is never reduced below eighty percent of the monthly fee at the time the contract is renewed.