



95TH GENERAL ASSEMBLY

State of Illinois

2007 and 2008

HB4332

by Rep. Frank J. Mautino

SYNOPSIS AS INTRODUCED:

New Act

Creates the Bowling Center Safety Act. Sets forth responsibilities of operators of bowling centers and bowlers. Provides that bowlers and spectators are deemed to have knowledge of and to assume the inherent risks of bowling. Provides that this assumption of risk is a complete bar of suit and is a complete defense to a suit against an operator by a bowler or spectator for injuries resulting from the assumed risks of bowling unless the operator has violated his or her duties or responsibilities under the Act.

LRB095 15230 AJO 41212 b

1 AN ACT in relation to bowling centers.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 1. Short title. This Act may be cited as the
5 Bowling Center Safety Act.

6 Section 5. Legislative findings and declarations. The
7 General Assembly finds and declares that the recreational sport
8 of bowling is practiced by a large number of citizens of this
9 State; bowling is a wholesome and healthy family activity that
10 should be encouraged; and the allocation of risks and costs of
11 bowling is an important matter of public policy.

12 The General Assembly further finds and declares that the
13 owners of bowling centers face great difficulty in obtaining
14 liability insurance coverage at an affordable cost and that the
15 lack of affordable insurance coverage affects not only owners
16 of bowling centers, but also patrons who may suffer personal
17 injury or property damage as a result of accidents that occur
18 on the premises of a bowling center. In order to make it more
19 economically feasible for insurance companies to provide
20 coverage to bowling centers at an affordable rate to the
21 owners, occurrences resulting in liability to the owners should
22 be more predictable by limiting the liability that may be
23 incurred by the owners and encouraging the development and

1 implementation of risk reduction techniques. This Act should be
2 liberally construed to best carry out the purposes of this Act.

3 Section 10. Definitions. As used in this Act:

4 "Operator" means a person or entity that owns, manages,
5 controls, directs, or has operational responsibility for a
6 bowling center.

7 "Bowler" means a person in a bowling center for the purpose
8 of recreational or competitive bowling. "Bowler" also includes
9 any person in a bowling center who is an invitee, whether or
10 not that person pays consideration.

11 "Bowling center" means a building, facility, or premises
12 that provides an area specifically designed to be used by the
13 public for recreational or competitive bowling.

14 "Spectator" means a person who is present in a bowling
15 center only for the purpose of observing recreational or
16 competitive bowling.

17 Section 15. Operator responsibilities. It is the
18 responsibility of the operator to the extent practicable to:

19 (1) Post the duties of bowlers and spectators and the
20 duties and obligations of the operator as prescribed in this
21 Act in a conspicuous place in the bowling center.

22 (2) Comply with all bowling center safety standards
23 published by a recognized association of bowling center
24 operators, including but not limited to the proper maintenance

1 of bowling equipment and bowling facilities.

2 (3) Maintain the stability and legibility of all signs,
3 symbols, and posted notices required by this Act.

4 (4) Install fire extinguishers and inspect fire
5 extinguishers at recommended intervals.

6 (5) Inspect emergency lighting units periodically to
7 ensure the lights are in proper order.

8 (6) Check rental shoes on a regular basis to ensure the
9 shoes are in good condition.

10 (7) Comply with all applicable State and local safety
11 codes.

12 Section 20. Bowler responsibilities. It is the
13 responsibility of each bowler to:

14 (1) Maintain reasonable control of the bowler's actions at
15 all times.

16 (2) Heed all posted signs and warnings.

17 (3) Refrain from acting in a manner that may cause or
18 contribute to the injury of the bowler or any other person.

19 Section 25. Assumption of risk. Bowlers and spectators are
20 deemed to have knowledge of and to assume the inherent risks of
21 bowling.

22 Section 30. Bar of suit; complete defense. The assumption
23 of risk set forth in Section 25 is a complete bar of suit and is

1 a complete defense to a suit against an operator by a bowler or
2 spectator for injuries resulting from the assumed risks of
3 bowling unless the operator has violated his or her duties or
4 responsibilities under this Act.