

**AMENDMENT TO THE AMERICAN RESCUE PLAN**  
**ACT OF 2021**  
**OFFERED BY MR. QUIGLEY OF ILLINOIS**

Page 344, after line 19, insert the following:

1 **SEC. 6007. GRANTS FOR FITNESS FACILITIES.**

2 (a) DEFINITIONS.—In this section:

3 (1) ADMINISTRATOR.—The term “Adminis-  
4 trator” means the Administrator of the Small Busi-  
5 ness Administration.

6 (2) AFFILIATED BUSINESS.—The term “affili-  
7 ated business” means a business in which an eligible  
8 entity has an equity or right to profit distributions  
9 of not less than 50 percent, and in which an eligible  
10 entity has the contractual authority to control the  
11 direction of the business, provided that such affili-  
12 ation shall be determined as of any arrangements or  
13 agreements in existence as of March 13, 2020.

14 (3) ELIGIBLE ENTITY.—The term “eligible enti-  
15 ty” means a fitness facility—

16 (A) which provides instruction in a pro-  
17 gram of physical exercise or offers space for the  
18 preservation, maintenance, encouragement, or  
19 development of physical fitness;

1 (B) which does not offer golf, hunting,  
2 sailing, or riding facilities;

3 (C) where the health or fitness component  
4 of which is not incidental to its overall function  
5 and purpose; and

6 (D) which is not part of a State or local  
7 government facility.

8 (b) AUTHORITY.—

9 (1) INITIAL GRANTS.—The Administrator may  
10 make initial grants to eligible entities in accordance  
11 with this section.

12 (2) SUPPLEMENTAL GRANTS.—The Adminis-  
13 trator may make a supplemental grant in accordance  
14 with this section to an eligible entity that receives a  
15 grant under paragraph (1) if, as of December 31,  
16 2020, the revenues of the eligible entity for the most  
17 recent calendar quarter are not more than 33 per-  
18 cent of the revenues of the eligible entity for the cor-  
19 responding calendar quarter during 2019 due to the  
20 COVID–19 pandemic.

21 (3) PRIORITY.—During the initial 14-day pe-  
22 riod in which the Administrator awards initial  
23 grants under this subsection, the Administrator shall  
24 prioritize awarding grants to eligible entities serving  
25 marginalized and underrepresented communities,

1 with a focus on women, veteran, and minority-owned  
2 and operated eligible entities serving such commu-  
3 nities.

4 (c) AMOUNT.—

5 (1) INITIAL GRANTS.—A grant under sub-  
6 section (b)(1) shall be in the amount equal to the  
7 lesser of—

8 (A) the amount equal to 45 percent of the  
9 gross revenue of the eligible entity during 2019;

10 (B) for an eligible entity that began oper-  
11 ations after January 1, 2019, the amount equal  
12 to the product obtained by multiplying—

13 (i) the average monthly gross revenue  
14 for each full month during which the entity  
15 was in operation during 2019; by

16 (ii) 6; or

17 (C) \$20,000,000.

18 (2) SUPPLEMENTAL GRANTS.—A grant under  
19 subsection (b)(2) shall be in the amount equal to 25  
20 percent of the grant received by the eligible entity  
21 under subsection (b)(1).

22 (3) AGGREGATE MAXIMUM AMOUNT.—The ag-  
23 gregate amount of grants made to an eligible entity  
24 and any affiliated businesses of the eligible entity  
25 under this section shall not exceed \$25,000,000.

1 (d) USE OF FUNDS.—

2 (1) CERTIFICATION.—An eligible entity apply-  
3 ing for a grant under this section shall make a good  
4 faith certification—

5 (A) that the uncertainty of current eco-  
6 nomic conditions makes necessary the grant re-  
7 quest to support the ongoing operations of the  
8 eligible entity; and

9 (B) acknowledging that funds will be used  
10 to retain workers or for other allowable ex-  
11 penses described in paragraph (4).

12 (2) TIMING.—

13 (A) EXPENSES INCURRED.—

14 (i) IN GENERAL.—Except as provided  
15 in clause (ii), amounts received under a  
16 grant under this section may be used for  
17 costs incurred during the period beginning  
18 on March 1, 2020, and ending on Decem-  
19 ber 31, 2021.

20 (ii) EXTENSION FOR SUPPLEMENTAL  
21 GRANTS.—If an eligible entity receives a  
22 grant under subsection (b)(2), amounts re-  
23 ceived under either grant under this sec-  
24 tion may be used for costs incurred during

1 the period beginning on March 1, 2020,  
2 and ending on June 30, 2022.

3 (B) EXPENDITURE.—

4 (i) IN GENERAL.—Except as provided  
5 in clause (ii), an eligible entity shall return  
6 to the Administrator any amounts received  
7 under a grant under this section that are  
8 not expended on or before the date that is  
9 1 year after the date of disbursement of  
10 the grant.

11 (ii) EXTENSION FOR SUPPLEMENTAL  
12 GRANTS.—If an eligible entity receives a  
13 grant under subsection (b)(2), the eligible  
14 entity shall return to the Administrator  
15 any amounts received under either grant  
16 under this section that are not expended  
17 on or before the date that is 18 months  
18 after the date of disbursement to the eligi-  
19 ble entity of the grant under subsection  
20 (b)(1).

21 (3) ALLOWABLE EXPENSES.—

22 (A) DEFINITIONS.—In this paragraph—

23 (i) the terms “covered mortgage obli-  
24 gation”, “covered rent obligation”, “cov-  
25 ered utility payment”, and “covered worker

1 protection expenditure” have the meanings  
2 given those terms in section 7A(a) of the  
3 Small Business Act, as redesignated,  
4 transferred, and amended by this Act; and

5 (ii) the term “payroll costs” has the  
6 meaning given that term in section  
7 7(a)(36)(A) of the Small Business Act (15  
8 U.S.C. 636(a)(36)(A).

9 (B) EXPENSES.—An eligible entity may  
10 use amounts received under a grant under this  
11 section for—

12 (i) payroll costs;

13 (ii) payments on any covered rent ob-  
14 ligation and common area maintenance  
15 charges under a lease agreement;

16 (iii) any covered utility payment;

17 (iv) scheduled payments of interest or  
18 principal on any covered mortgage obliga-  
19 tion (which shall not include any prepay-  
20 ment of principal on a covered mortgage  
21 obligation);

22 (v) scheduled interest payments on  
23 other scheduled debt as of February 15,  
24 2020;

1 (vi) covered worker protection expend-  
2 itures;

3 (vii) payments of principal on out-  
4 standing loans;

5 (viii) payments made to independent  
6 contractors, as reported on Form-1099  
7 MISC; and

8 (ix) other ordinary and necessary  
9 business expenses, including—

10 (I) settling existing debts owed to  
11 vendors;

12 (II) maintenance expenses;

13 (III) administrative costs;

14 (IV) taxes;

15 (V) operating leases;

16 (VI) advertising, fitness equip-  
17 ment, subscription, and software ex-  
18 penses that are within the scope of  
19 the normal business practice of the el-  
20 igible entity;

21 (VII) payments required for in-  
22 surance on any insurance policy;

23 (VIII) capital expenditures or ex-  
24 penses required under any State,

1 local, or Federal law or guideline re-  
2 lated to social distancing; and

3 (IX) any other expenses that the  
4 Administrator determines to be essen-  
5 tial to maintaining the eligible entity.

6 (4) PROHIBITED EXPENSES.—An eligible entity  
7 may not use amounts received under a grant under  
8 this section—

9 (A) to purchase real estate;

10 (B) for payments of interest or principal  
11 on loans originated after February 15, 2020;

12 (C) to invest or re-lend funds;

13 (D) for contributions or expenditures to, or  
14 on behalf of, any political party, party com-  
15 mittee, or candidate for elective office; or

16 (E) for any other use as may be prohibited  
17 by the Administrator.

18 (e) AUTHORIZATION OF APPROPRIATIONS.—There is  
19 authorized to be appropriated \$30,000,000,000 to carry  
20 out this section.

