

By: Romero, Jr., Holland, Toth

H.B. No. 2205

A BILL TO BE ENTITLED

AN ACT

relating to applicability of the International Swimming Pool and Spa Code to certain pools, spas, and other swimming areas.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 341.0645, Health and Safety Code, is amended by amending Subsection (b) and adding Subsection (c) to read as follows:

(b) The executive commissioner shall adopt by rule pool safety standards necessary to prevent drowning. The standards must:

(1) be at least as stringent as those imposed under the federal Virginia Graeme Baker Pool and Spa Safety Act (15 U.S.C. Section 8001 et seq.); and

(2) comply with a version of the International Swimming Pool and Spa Code, as defined by Section 214.103, Local Government Code, that is not older than the version in effect on May 1, 2019.

(c) Notwithstanding Subsection (b), the department is not required to take the following actions as required by the International Swimming Pool and Spa Code:

(1) establish an enforcement program;

(2) establish an application and permitting program;

(3) establish an inspection program;

(4) establish a plan review program for new construction;

1 (5) review additions or renovations to existing pools
2 and spas; or

3 (6) conduct construction inspections for new pools and
4 spas or for pools and spas that are renovated or for which additions
5 are made.

6 SECTION 2. Section 214.103(b), Local Government Code, is
7 amended to read as follows:

8 (b) To protect the public health, safety, and welfare, the
9 International Swimming Pool and Spa Code, as it existed on May 1,
10 2019, is adopted as the municipal swimming pool and spa code in this
11 state. A municipality may adopt a more recent version of the
12 International Swimming Pool and Spa Code to apply in the
13 municipality.

14 SECTION 3. This Act takes effect September 1, 2021.