

1-1 By: Romero, Jr., Holland, Toth H.B. No. 2205
 1-2 (Senate Sponsor - Schwertner)
 1-3 (In the Senate - Received from the House May 3, 2021;
 1-4 May 10, 2021, read first time and referred to Committee on Business
 1-5 & Commerce; May 21, 2021, reported adversely, with favorable
 1-6 Committee Substitute by the following vote: Yeas 9, Nays 0;
 1-7 May 21, 2021, sent to printer.)

1-8 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-9				
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			
1-18	X			

1-19 COMMITTEE SUBSTITUTE FOR H.B. No. 2205 By: Hancock

1-20 A BILL TO BE ENTITLED
 1-21 AN ACT

1-22 relating to applicability of the International Swimming Pool and
 1-23 Spa Code to certain pools, spas, and other swimming areas.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 341.0645, Health and Safety Code, is
 1-26 amended by amending Subsection (b) and adding Subsections (c), (d),
 1-27 (e), (f), and (g) to read as follows:

1-28 (b) The executive commissioner shall adopt by rule pool
 1-29 safety standards necessary to prevent drowning. The standards must:

1-30 (1) be at least as stringent as those imposed under the
 1-31 federal Virginia Graeme Baker Pool and Spa Safety Act (15 U.S.C.
 1-32 Section 8001 et seq.); and

1-33 (2) comply with and adopt by reference a version of the
 1-34 International Swimming Pool and Spa Code, as defined by Section
 1-35 214.103, Local Government Code, that is not older than the version
 1-36 in effect on May 1, 2019, regarding all construction, alteration,
 1-37 renovation, enlargement, and repair of commercial swimming pools
 1-38 and spas.

1-39 (c) Notwithstanding Subsection (b), the department is not
 1-40 required to adopt Chapter 1 of the International Swimming Pool and
 1-41 Spa Code.

1-42 (d) Subsection (b) does not affect requirements for pool
 1-43 yard enclosure imposed under Chapter 757.

1-44 (e) The executive commissioner by rule shall authorize a
 1-45 minor addition, alteration, renovation, or repair to an existing
 1-46 pool or spa and related mechanical, electrical, and plumbing
 1-47 systems in the same manner and arrangement as the executive
 1-48 commissioner authorized the construction of the pool or spa and
 1-49 related mechanical, electrical, and plumbing systems.

1-50 (f) A person may use, maintain, and repair a pool or spa that
 1-51 was in compliance with the laws of this state on August 31, 2021,
 1-52 and related mechanical, electrical, and plumbing systems in
 1-53 accordance with the laws applicable to the pool or system on that
 1-54 date.

1-55 (g) Notwithstanding Subsection (b)(2), this section does
 1-56 not affect the authority of the executive commissioner to adopt
 1-57 rules regarding pool operation and management, water quality,
 1-58 safety standards unrelated to design and construction, signage, and
 1-59 enclosures.

1-60 SECTION 2. Section 214.103, Local Government Code, is

2-1 amended by amending Subsection (b) and adding Subsection (b-1) to
2-2 read as follows:

2-3 (b) To protect the public health, safety, and welfare, the
2-4 International Swimming Pool and Spa Code, as it existed on May 1,
2-5 2019, is adopted as the municipal swimming pool and spa code in this
2-6 state. A municipality may adopt a more recent version of the
2-7 International Swimming Pool and Spa Code to apply in the
2-8 municipality.

2-9 (b-1) To the extent a provision of a code adopted by a
2-10 municipality under Subsection (b) conflicts with a law of this
2-11 state or a regulation on pool operation and management, water
2-12 quality, safety standards unrelated to design and construction,
2-13 signage, or enclosures, the law or regulation controls.

2-14 SECTION 3. This Act takes effect September 1, 2021.

2-15

* * * * *