

By: Romero, Jr.

H.B. No. 2424

A BILL TO BE ENTITLED

AN ACT

relating to training and certification requirements for public swimming pool and spa inspectors.

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

SECTION 1. Chapter 341, Health and Safety Code, is amended by amending Subsection 341.0645 to read as follows:

Sec. 341.0645. POOL SAFETY. (a) An owner, manager, operator, or other attendant in charge of a public swimming pool, wading pool, baby pool, hot tub, in-ground spa, water park, spray fountain, or other artificial body of water typically used for recreational swimming, bathing, or play shall comply with relevant pool safety standards adopted under this section.

(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 and adopt by reference 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, regarding all construction, alteration, renovation, enlargement, and repair of commercial swimming pools and spas.

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

4 (d) Subsection (b) does not affect requirements for pool
5 yard enclosure imposed under Chapter 757.

6 (e) The executive commissioner by rule shall authorize a
7 minor addition, alteration, renovation, or repair to an existing
8 pool or spa and related mechanical, electrical, and plumbing
9 systems in the same manner and arrangement as the executive
10 commissioner authorized the construction of the pool or spa and
11 related mechanical, electrical, and plumbing systems.

12 (f) A person may use, maintain, and repair a pool or spa that
13 was in compliance with the laws of this state on August 31, 2021,
14 and related mechanical, electrical, and plumbing systems in
15 accordance with the laws applicable to the pool or system on that
16 date.

17 (g) Notwithstanding Subsection (b)(2), this section does
18 not affect the authority of the executive commissioner to adopt
19 rules regarding pool operation and management, water quality,
20 safety standards unrelated to design and construction, signage, and
21 enclosures.

22 (h) The executive commissioner by rule shall require pool
23 and spa inspectors to obtain training and certification in the
24 operation of pools and spas that is at least equivalent to the
25 training and certification requirements of pool and spa operators.

26 SECTION 2. This Act takes effect September 1, 2023.