

By: McCall

H.B. No. 2395

Substitute the following for H.B. No. 2395:

By: Delisi

C.S.H.B. No. 2395

A BILL TO BE ENTITLED

AN ACT

relating to the application of certain diving-board-related safety requirements at a public swimming pool.

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

SECTION 1. Section 341.064, Health and Safety Code, is amended by adding Subsection (p) to read as follows:

(p) The department shall waive a requirement under this section or a rule adopted under this section relating to a diving board in a public swimming pool if:

(1) the owner or operator of the pool carries at least \$1,000,000 of liability insurance; and

(2) the pool's safety record does not include a serious injury attributable to the depth of or the spacing of diving equipment in a diving facility at the pool, if the diving facility:

(A) was constructed before October 1, 1970; and

(B) has the same configuration as the facility had on September 1, 2004.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2007.