

BILL ANALYSIS

S.B. 1732
By: West
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Incidents of children drowning in pools because of the pools' drain covers highlight the need for counties and municipalities with public facilities such as swimming pools, water parks, spray fountains, baby pools, and wading pools, to be required to install anti-drowning drain covers.

S.B. 1732 requires the executive commissioner of the Health and Human Service Commission to adopt by rule pool safety standards to prevent drowning and requires an owner, manager, operator, or other attendant in charge of certain public water facilities to comply with those standards. This bill is based on the federal Virginia Graeme Baker Pool and Spa Safety Act.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 of this bill.

ANALYSIS

S.B. 1732 amends the Health and Safety Code to require the executive commissioner of the Health and Human Services Commission to adopt by rule pool safety standards necessary to prevent drowning and requires such standards to be at least as stringent as those imposed under the federal Virginia Graeme Baker Pool and Spa Safety Act. The bill requires 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 to comply with these pool safety standards.

EFFECTIVE DATE

September 1, 2009.