

1-1 By: Davis S.B. No. 582
1-2 (In the Senate - Filed February 14, 2013; February 20, 2013,
1-3 read first time and referred to Committee on Business and Commerce;
1-4 May 6, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 6, Nays 0; May 6, 2013, sent
1-6 to printer.)

1-7 COMMITTEE VOTE

1-8	Yea	Nay	Absent	PNV
1-9	X			
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 COMMITTEE SUBSTITUTE FOR S.B. No. 582 By: Lucio

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to municipal swimming pool requirements for certain
1-22 dwellings.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. This Act may be cited as the Residential Swimming
1-25 Pool Safety Act in memory of Grayson James Satarino.

1-26 SECTION 2. Subtitle A, Title 9, Health and Safety Code, is
1-27 amended by adding Chapter 761 to read as follows:

1-28 CHAPTER 761. MUNICIPAL SWIMMING POOL REQUIREMENTS FOR CERTAIN
1-29 DWELLINGS

1-30 Sec. 761.001. INTERNATIONAL RESIDENTIAL CODE. (a) To
1-31 protect the public health, safety, and welfare, the International
1-32 Residential Code (2012), Appendix G, "Swimming Pools, Spas and Hot
1-33 Tubs," as it existed on January 1, 2012, excluding Sections AG101.2
1-34 and AG106, is adopted as the municipal residential swimming pool
1-35 code in this state.

1-36 (b) The municipal residential swimming pool code applies to
1-37 all construction, installation, alteration, remodeling,
1-38 enlargement, and repair of residential swimming pools in a
1-39 municipality in this state that adopts a building code.

1-40 (c) A municipality may establish procedures:

1-41 (1) to adopt local amendments to the municipal
1-42 residential swimming pool code; and

1-43 (2) for the administration and enforcement of the
1-44 municipal residential swimming pool code.

1-45 (d) A municipality may review and consider amendments made
1-46 by the International Code Council to the International Residential
1-47 Code (2012), Appendix G, "Swimming Pools, Spas and Hot Tubs" after
1-48 January 1, 2012.

1-49 SECTION 3. Subsection (a), Section 214.101, Local
1-50 Government Code, is amended to read as follows:

1-51 (a) A municipality that adopts a building code shall [may]
1-52 by ordinance establish minimum standards for swimming pool fences
1-53 and enclosures that comply at a minimum with Chapter 761, Health and
1-54 Safety Code, and may adopt other ordinances as necessary to carry
1-55 out this subchapter. A municipal ordinance containing standards
1-56 for a pool yard enclosure as defined by Chapter 757, Health and
1-57 Safety Code, [as added by Section 2, Chapter 517, Acts of the 73rd
1-58 Legislature, 1993,] must contain the same standards for that
1-59 enclosure as are required or permitted by that chapter of the Health
1-60 and Safety Code.

2-1 SECTION 4. (a) Chapter 761, Health and Safety Code, as
2-2 added by this Act, applies only to residential swimming pool
2-3 construction, installation, alteration, remodeling, enlargement,
2-4 or repair that begins under an agreement made on or after January 1,
2-5 2014, or that begins, in the absence of an agreement, on or after
2-6 that date. Residential swimming pool construction, installation,
2-7 alteration, remodeling, enlargement, or repair that begins under an
2-8 agreement made before January 1, 2014, or that begins, in the
2-9 absence of an agreement, before that date is governed by the law in
2-10 effect when the agreement was made or the activity began, as
2-11 appropriate, and that law is continued in effect for that purpose.

2-12 (b) Municipalities shall, before January 1, 2014, adopt
2-13 ordinances, establish rules, and take other necessary actions to
2-14 implement Chapter 761, Health and Safety Code, as added by this Act,
2-15 and Subsection (a), Section 214.101, Local Government Code, as
2-16 amended by this Act.

2-17 SECTION 5. (a) Except as provided by Subsection (b) of
2-18 this section, this Act takes effect January 1, 2014.

2-19 (b) Subsection (b), Section 4 of this Act takes effect
2-20 September 1, 2013.

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