

SUBJECT: Requiring compliance with International Swimming Pool and Spa Code

COMMITTEE: Urban Affairs — committee substitute recommended

VOTE: 9 ayes — Cortez, Holland, Bernal, Campos, Gates, Jarvis Johnson,
Minjarez, Morales Shaw, Slaton

0 nays

WITNESSES: For — Addam Barrow, Pool & Hot Tub Alliance, TSPC; Rick Hagan,
President of Texas Pool and Spa Coalition; (*Registered, but did not testify*:
Tammy Embrey, City of Corpus Christi; TJ Patterson, City of Fort Worth;
Jake Posey, Independent Pool and Spa Service Association)

Against — None

On — Kevin Veal, Department of State Health Services; David Mintz,
Texas Apartment Association

BACKGROUND: Health and Safety Code sec. 341.0625(b) requires the executive
commissioner of the Health and Human Services Commission to adopt by
rule pool safety standards necessary to prevent drowning. The standards
must be at least as stringent as those imposed under the federal Virginia
Graeme Baker Pool and Spa Safety Act. Local Government Code sec.
214.103 applies the International Swimming Pool and Spa Code as the
municipal swimming pool and spa code in Texas.

Interested parties note that there is a patchwork of different municipal
codes regulating pool and spa construction, alteration, remodeling, and
repair, which makes it difficult for companies to maintain common
business protocols and supplies for pool repair and construction.

DIGEST: CSHB 2205 would require the executive commissioner of the Health and
Human Services Commission to comply with a version of the
International Swimming Pool and Spa Code, as defined by Local
Government Code sec. 214.103, that was not older than the version in

effect on May 1, 2019.

The Department of State Health Services would not be required to take the following actions as required by the International Swimming Pool and Spa Code:

- establish an enforcement program;
- establish an application and permitting program;
- establish an inspection program;
- establish a plan review program for new construction;
- review additions or renovations to existing pools and spas; or
- conduct construction inspections for new pools and spas or for pools and spas that were renovated or for which additions were made.

A municipality could adopt a more recent version of the International Swimming Pool and Spa Code.

The bill would take effect September 1, 2021.