

BILL ANALYSIS

Senate Research Center
81R11643 ALB-D

S.B. 1732
By: West
State Affairs
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

There have been incidents of children drowning in pools because of the drain covers.

This bill instructs counties, and municipalities with public facilities such as swimming pools, water parks, spray fountains, baby pools, and wading pools, to install anti-drowning drain covers.

This bill is based on the federal Virginia Graeme Baker Pool and Spa Safety Act.

As proposed, S.B. 1732 requires an owner, manager, operator, or other attendant in charge of certain public water facilities to comply with pool safety standards and grants the executive commissioner of the Health and Human Service Commission authority to adopt by rule pool safety standards to prevent drowning.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 1 (Section 341.0645, Health and Safety Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter D, Chapter 341, Health and Safety Code, by adding Section 341.0645, as follows:

Sec. 341.0645. POOL SAFETY. (a) 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 pool safety standards adopted under this section.

(b) Requires the executive commissioner of the Health and Human Services Commission to adopt by rule pool safety standards necessary to prevent drowning. Requires that the standards 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.).

SECTION 2. Effective date: September 1, 2009.