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**Health Care & Wellness Committee**

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**HB 1449**

**Brief Description:** Concerning water recreation facilities.

**Sponsors:** Representatives Manweller and Dent.

**Brief Summary of Bill**

- Exempts certain inflatable equipment at a temporary event from the law governing water recreation facilities.
- Requires the State Board of Health to consider the Centers for Disease Control and Prevention's Model Aquatic Health Code in adopting rules related to recreational water contact facilities.

**Hearing Date:** 2/10/17

**Staff:** Alexa Silver (786-7190).

**Background:**

Water recreational facilities are required to obtain an operating permit from the Department of Health or a local health officer. The State Board of Health (Board) is directed by statute to adopt rules governing the safety, sanitation, and water quality of water recreational facilities. The rules must include requirements for design, operation, injury and illness reporting, contamination standards, water quality monitoring, inspection, permits, and enforcement procedures. In adopting rules related to the operation or design of a recreational water contact facility, the Board must consider any recommendations made by the Recreational Water Contact Facility Advisory Committee. The following types of facilities are exempt from the law governing water recreation facilities: water recreation facilities at a single-family dwelling, therapeutic water facilities operated for physical therapy, and steam baths and saunas.

A "water recreation facility" is defined as an artificial basin or other structure containing water used or intended to be used for recreation, bathing, relaxation, or swimming, where body contact with the water is intended to occur. It includes swimming pools, "recreational water contact

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facilities," and spa pools and tubs. "Recreational water contact facilities" are defined to include water slides, wave pools, and water lagoons.

The Secretary of Health (Secretary) is responsible for enforcement of the rules governing water recreational facilities, but the Secretary may develop joint plans of responsibility with a local health jurisdiction. Local boards of health may establish and enforce their own laws in addition to the Board's rules. The Secretary and local health officers may establish and collect fees to cover their costs for enforcement. Both civil and criminal penalties apply for violation of the water recreation facility law, and violators may be assessed a penalty of up to \$500.

The Centers for Disease Control and Prevention's Model Aquatic Health Code is a set of guidelines for state and local governments to develop and update pool codes.

**Summary of Bill:**

The law governing water recreation facilities does not apply to inflatable equipment operated at a temporary event, including inflatable water slides, that do not allow water to pool more than six inches and do not recirculate water.

In adopting rules regarding the design and operation of a recreational water contact facility, the State Board of Health (Board) must review and consider the most recent version of the Centers for Disease Control and Prevention's Model Aquatic Health Code rather than recommendations of the Recreational Water Contact Facility Advisory Committee.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** The bill takes effect 90 days after adjournment of the session in which the bill is passed.