

By: Senator(s) Hewes

To: Public Health and Welfare

SENATE BILL NO. 2638

1 AN ACT TO DIRECT THE STATE BOARD OF HEALTH TO ADOPT AND THE
 2 STATE DEPARTMENT OF HEALTH TO ENFORCE REQUIREMENTS FOR THE
 3 ABATEMENT OF SUCTION HAZARDS IN PUBLIC SWIMMING POOLS; TO PROVIDE
 4 THAT NO PUBLIC SWIMMING POOL MAY BE OPENED FOR USE UNLESS THE
 5 OWNER OR OPERATOR HAS COMPLIED WITH SAID REQUIREMENTS; TO REQUIRE
 6 CERTAIN WARNINGS TO BE POSTED AT PUBLIC SWIMMING POOLS RELATED TO
 7 SUCTION HAZARDS; TO REQUIRE OPERATORS OF PUBLIC SWIMMING POOLS TO
 8 INSPECT POOLS DAILY TO ENSURE THE DRAIN COVERS ARE SECURELY
 9 ATTACHED; AND FOR RELATED PURPOSES.

10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MISSISSIPPI:

11 **SECTION 1.** (1) As used in this section, the term "public
 12 swimming pool" means any structure, chamber or tank containing an
 13 artificial body of water used by the public for swimming, diving,
 14 wading, recreation or therapy, together with buildings,
 15 appurtenances and equipment used in connection with the body of
 16 water, regardless of whether a fee is charged for its use. The
 17 term includes municipal, school, hotel, motel, apartment, boarding
 18 house, athletic club, or other membership facility pools and spas.
 19 This section does not apply to a private pool serving a single
 20 family dwelling and used only by the residents of the dwelling and
 21 their guests. This section also does not apply to therapeutic
 22 pools used in physical therapy programs operated by medical
 23 facilities licensed by the State Department of Health or operated
 24 by a licensed physical therapist, nor to therapeutic chambers
 25 drained, cleaned and refilled after each individual use.

26 (2) For protection of the public health and safety, the
 27 State Board of Health shall adopt and the State Department of
 28 Health shall enforce requirements for the design, construction,
 29 depth, dimensions and standards for the abatement of suction
 30 hazards in public swimming pools. From and after July 1, 2005,

31 all public swimming pools shall be required to comply with said
32 requirements related to the abatement of suction hazards. No
33 public swimming pool may be opened for use unless the owner or
34 operator has complied with the rules adopted pursuant to the
35 requirements of this section.

36 (3) No single drain, single suction outlet public swimming
37 pools less than eighteen (18) inches deep shall be allowed to
38 operate.

39 (4) The State Department of Health shall disseminate not
40 later than fifteen (15) days after passage of this act written
41 information designed to adequately inform local health
42 departments, public swimming pool operators, and the general
43 public of the presence of the ways to avoid hazards related to
44 suction in swimming pools.

45 (5) At all public swimming pools which use a single main
46 drain for circulation of water, signs shall be posted stating:
47 "WARNING: To prevent serious injury, do not allow children in
48 swimming pool if drain cover is broken or missing." Signs shall
49 be in letters at least one-half (1/2) inch in height and shall be
50 posted where they are visible to people entering the swimming
51 pool.

52 (6) Operators of all public swimming pools shall inspect
53 pools daily to ensure the drain covers are in good condition and
54 securely attached.

55 **SECTION 2.** This act shall take effect and be in force from
56 and after July 1, 2005.