

MAR 3 1999

HUMAN RESOURCES

HOUSE FILE
BY METCALF

493

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act requiring the provision of soap to persons at swimming
2 pools and making a penalty applicable.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 493

1 Section 1. Section 135I.4, Code 1999, is amended to read
2 as follows:

3 135I.4 POWERS AND DUTIES.

4 1. The department is responsible for registering and
5 regulating the operation of swimming pools, spas, and,
6 notwithstanding chapter 89, swimming pool or spa water
7 heaters.

8 2. The department shall ~~conduct~~ do all of the following:

9 a. Conduct seminars and training sessions, and disseminate
10 information regarding health practices, safety measures, and
11 operating procedures required under this chapter.

12 b. Require swimming pools to provide as a sanitary measure
13 hair and body soap to users of swimming pools.

14 3. The department may:

15 1 a. Inspect, at the time of installation and periodically
16 thereafter, all swimming pools and spas for the purpose of
17 detecting and eliminating health or safety hazards.

18 2 b. Establish minimum safety and sanitation criteria for
19 the operation and use of swimming pools and spas.

20 3 c. Establish minimum qualifications for swimming pool,
21 spa, and waterslide operators and lifeguards. Swimming pools
22 operated by apartments, condominiums, country clubs,
23 neighborhoods, or mobile home parks are exempt from
24 requirements regarding lifeguards.

25 4 d. Establish and collect fees to defray the cost of
26 administering this chapter. It is the intent of the general
27 assembly that fees collected under this chapter be used to
28 defray the cost of administering this chapter. However, the
29 portion of fees needed to defray the costs of a local board of
30 health in implementing this chapter shall be established by
31 the local board of health. A fee imposed for the inspection
32 of a swimming pool or spa shall not be collected until the
33 inspection has actually been performed.

34 5 e. Adopt rules in accordance with chapter 17A for the
35 implementation and enforcement of this chapter, and the

1 establishment of fees. The department shall appoint an
2 advisory committee composed of owners, operators, local
3 officials, and representatives of the public to advise it in
4 the formulation of appropriate rules.

5 | 6 f. Enter into agreements with a local board of health to
6 implement the inspection and enforcement provisions of this
7 chapter. The agreements shall provide that the fees
8 established by the local board of health for inspection and
9 enforcement shall be retained by the local board. However,
10 inspection fees shall not be charged by the department for
11 facilities which are inspected by third-party authorities.
12 Third-party authorities shall be approved by the department.
13 The department shall monitor and certify the inspection and
14 enforcement programs of local boards of health and approved
15 third-party authorities.

16 | EXPLANATION

17 | This bill requires the department of public health to adopt
18 rules to require swimming pools to provide hair and body soap
19 as a sanitary measure to users of swimming pools. The
20 existing penalty for violation of a provision of Code chapter
21 135I, a simple misdemeanor, applies to a violation of this
22 requirement.

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