1   State of Arkansas

As Engrossed: S2/6/97

2   81st General Assembly

A Bill

ACT 285 OF 1997

3   Regular Session, 1997

SENATE BILL   51

4   By: Senator Bradford

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7   **For An Act To Be Entitled**

8   "AN ACT TO AMEND ARKANSAS CODE 20-30-101 AND 103

9   PERTAINING TO THE POWERS OF THE ARKANSAS DEPARTMENT OF

10   HEALTH TO REGULATE PUBLIC SWIMMING POOLS; AND FOR OTHER

11   PURPOSES."

12

13   **Subtitle**

14   "AMEND ARKANSAS CODE 20-30-101 AND 103

15   PERTAINING TO THE POWERS OF THE ARKANSAS

16   DEPARTMENT OF HEALTH TO REGULATE PUBLIC

17   SWIMMING POOLS."

18

19   BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21   SECTION 1. Arkansas Code 20-30-101(2)is amended to read as follows:

22   "(2) Critical items means those aspects of operation or conditions of

23   facilities or equipment which, if in violation, constitute the greatest

24   hazards to health and safety, including imminent health hazards. These

25   include:

26   (A) Restriction of employees with infection;

27   (B) Approved water supply of hot and cold running water under pressure;

28   (C) Sewage and liquid waste disposal;

29   (D) No cross-connection or back-siphonage;

30   (E) Safety;

31   (F) Excessive turbidity;

32   (G) ~~Total absence of approved sanitizing residuals;~~<u>Failure to maintain

33   proper chemical levels;</u>

34   (H) Failure or lack of filtration, sanitizing, and cleaning equipment

35   and chemicals; and

36   (I) Absence or lack of required supervisory personnel;"

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2   SECTION 2. Arkansas Code 20-30-103 is amended to read as follows:

3   "§ 20-30-103. Authority of Department of Health.

4   The Department of Health is authorized:

5   (1) To carry out or cause to be carried out all provisions of this

6 chapter;

7   (2) To collect all fees provided for in this chapter;

8   (3) To prescribe such rules and regulations governing the alteration,

9 construction, sanitation, safety, and operation of public swimming pools as

10 may be necessary to protect the health and safety of the public and to require

11 every public swimming pool to comply with these rules and regulations;

12   (4) *To inspect* or cause to be inspected at least one (1) time per month

13 and as often as necessary *every public swimming pool in operation in the state*

14 *to determine compliance with this chapter and rules and regulations;*

15   (5)(4) To issue or cause to be issued, suspend, and revoke permits to

16 operate public swimming pools as provided in this chapter;

17   (6)(5) To notify the owner, proprietor, or agent in charge of any

18 public swimming pool of such changes or alterations as may be necessary to

19 effect complete compliance with the provisions of this chapter and rules and

20 regulations governing the construction, alteration, and operation of the

21 facilities and to close the facilities for failure to comply within specified

22 times as provided in this chapter and rules and regulations; and

23   (7)(6) To train, test, and certify qualified operators of public

24 swimming pools."

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26   SECTION 3. All provisions of this act of a general and permanent nature

27 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code

28 Revision Commission shall incorporate the same in the Code.

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30   SECTION 4. If any provision of this act or the application thereof to

31 any person or circumstance is held invalid, such invalidity shall not affect

32 other provisions or applications of the act which can be given effect without

33 the invalid provision or application, and to this end the provisions of this

34 act are declared to be severable.

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36   SECTION 5. All laws and parts of laws in conflict with this act are

1 hereby repealed.

2   */s/Bradford*

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4   APPROVED:2-26-97

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