

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4 By: Senator Bradford

As Engrossed: S2/6/97

A Bill

SENATE BILL 51

For An Act To Be Entitled

"AN ACT TO AMEND ARKANSAS CODE 20-30-101 AND 103
PERTAINING TO THE POWERS OF THE ARKANSAS DEPARTMENT OF
HEALTH TO REGULATE PUBLIC SWIMMING POOLS; AND FOR OTHER
PURPOSES."

Subtitle

"AMEND ARKANSAS CODE 20-30-101 AND 103
PERTAINING TO THE POWERS OF THE ARKANSAS
DEPARTMENT OF HEALTH TO REGULATE PUBLIC
SWIMMING POOLS."

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

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

"(2) Critical items means those aspects of operation or conditions of facilities or equipment which, if in violation, constitute the greatest hazards to health and safety, including imminent health hazards. These include:

(A) Restriction of employees with infection;

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

(C) Sewage and liquid waste disposal;

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

(E) Safety;

(F) Excessive turbidity;

(G) ~~Total absence of approved sanitizing residuals;~~ Failure to maintain proper chemical levels;

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

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

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

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

The Department of Health is authorized:

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

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

(3) To prescribe such rules and regulations governing the alteration, construction, sanitation, safety, and operation of public swimming pools as may be necessary to protect the health and safety of the public and to require every public swimming pool to comply with these rules and regulations;

~~(4) To inspect or cause to be inspected at least one (1) time per month and as often as necessary every public swimming pool in operation in the state to determine compliance with this chapter and rules and regulations;~~

~~(5)~~(4) To issue or cause to be issued, suspend, and revoke permits to operate public swimming pools as provided in this chapter;

~~(6)~~(5) To notify the owner, proprietor, or agent in charge of any public swimming pool of such changes or alterations as may be necessary to effect complete compliance with the provisions of this chapter and rules and regulations governing the construction, alteration, and operation of the facilities and to close the facilities for failure to comply within specified times as provided in this chapter and rules and regulations; and

~~(7)~~(6) To train, test, and certify qualified operators of public swimming pools."

SECTION 3. All provisions of this act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 4. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to this end the provisions of this act are declared to be severable.

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

1 hereby repealed.

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/s/Bradford

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