

SECOND REGULAR SESSION

# HOUSE BILL NO. 2149

## 94TH GENERAL ASSEMBLY

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INTRODUCED BY REPRESENTATIVES SMITH (14) (Sponsor) AND TILLEY (Co-sponsor).

Read 1st time February 14, 2008 and copies ordered printed.

D. ADAM CRUMBLISS, Chief Clerk

5107L.01I

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### AN ACT

To amend chapter 316, RSMo, by adding thereto one new section relating to the regulation of swimming pools, with a penalty provision.

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*Be it enacted by the General Assembly of the state of Missouri, as follows:*

Section A. Chapter 316, RSMo, is amended by adding thereto one new section, to be  
2 known as section 316.255, to read as follows:

**316.255. 1. As used in this section, the following terms mean:**

2       **(1) "Certified operator", an individual who has successfully completed the**  
3 **Certified Pool-Spa Operator course approved by the National Swimming Pool Foundation,**  
4 **the Aquatic Facility Operator course approved by the National Recreation and Park**  
5 **Association, or an equivalent course provided by a nonprofit organization approved by the**  
6 **department of health and senior services. Such course shall provide at least fourteen hours**  
7 **of training on pool operation, safety, and maintenance. At least six hours of training and**  
8 **a proctored exam shall be carried out in a classroom environment. The remainder of the**  
9 **training may be carried out by online training approved by the department. A copy of the**  
10 **certification shall be forwarded to the department. A certified operator shall maintain his**  
11 **or her certification as required by the applicable organization;**

12       **(2) "Swimming pool", a fixed or mobile structure, basin, chamber, or tank and**  
13 **appurtenant buildings and equipment that serve or are installed for use by:**

14       **(a) The state;**

15       **(b) A political subdivision of the state;**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

- 16 (c) A motel or hotel;
- 17 (d) A resort, camp, club, or association;
- 18 (e) A housing development;
- 19 (f) A school;
- 20 (g) A religious, charitable, or youth organization;
- 21 (h) An educational or rehabilitation facility; or
- 22 (i) Another entity.

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24 **Swimming pool does not include a fixed or mobile structure, basin, chamber, or tank that**  
25 **only serves three or fewer individual residences.**

26 **2. Beginning July 1, 2009, an owner of a swimming pool shall employ at least one**  
27 **certified operator. The owner shall replace a vacancy in the certified operator position**  
28 **within ninety days of the occurrence of the vacancy if the owner employs only one certified**  
29 **operator. A current certificate of a certified operator by an owner of a swimming pool**  
30 **shall be posted conspicuously and maintained at the swimming pool for the duration of**  
31 **such employment.**

32 **3. Any person who violates the provisions of this section is guilty of an infraction.**

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