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House Bill 5247 (as passed by the House)  
Sponsor: Representative Aric Nesbitt  
House Committee: Health Policy  
Senate Committee: Health Policy

Date Completed: 9-29-14

### **CONTENT**

**The bill would amend the Public Health Code to create an exception to rules of the Department of Environmental Quality (DEQ) regarding lifeguards at public swimming pools, for a pool that was owned by a community hospital authority and met other conditions.**

The Code requires the DEQ to promulgate rules pertaining to public swimming pools. The Department's rules include R 325.2198, which establishes requirements for lifeguards. Under this rule, a swimming pool owner or operator must provide lifeguard service at a swimming pool if any of the following conditions apply:

- The pool is owned or operated by a government, a governmental subdivision or agency, a public corporation, or a school.
- The total water surface area within the swimming pool enclosure is more than 2,400 square feet.
- A diving board is provided.

The bill provides that, until December 31, 2018, DEQ rules pertaining to lifeguarding would not apply to a pool that met all of the following requirements:

- The pool was located in a health and wellness center that was owned or operated by a community hospital authority as authorized under Public Act 47 of 1945.
- The total pool water surface area within the swimming pool enclosure was not more than 2,400 square feet.
- No diving board was provided.

(Under Public Act 47 of 1945, two or more cities, villages, and/or townships, by resolution of their respective legislative bodies, with voter approval, may join to form a hospital authority and issue bonds and levy taxes for the purpose of planning, promoting, acquiring, constructing, improving, enlarging, extending, owning, maintaining, and operating one or more community hospitals.)

MCL 333.12522

Legislative Analyst: Julie Cassidy

### **FISCAL IMPACT**

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Josh Sefton

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.