

# HOUSE BILL No. 5247

January 23, 2014, Introduced by Rep. Nesbitt and referred to the Committee on Health Policy.

A bill to amend 1978 PA 368, entitled "Public health code," by amending section 12522 (MCL 333.12522).

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 12522. (1) The department shall review the design,  
2 construction, and operation of public swimming pools to protect the  
3 public health, prevent the spread of disease, and prevent accidents  
4 or premature deaths.

5           (2) ~~The~~ **EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (3), THE**  
6 department shall promulgate rules to carry out sections 12521 to  
7 12534.

8           (3) **UNTIL DECEMBER 31, 2018, RULES PERTAINING TO LIFEGUARDING**  
9 **PROMULGATED BY THE DEPARTMENT UNDER SUBSECTION (2) DO NOT APPLY TO**

1 A POOL THAT MEETS ALL OF THE FOLLOWING REQUIREMENTS:

2 (A) IT IS LOCATED IN A HEALTH AND WELLNESS CENTER THAT IS  
3 OWNED OR OPERATED BY A COMMUNITY HOSPITAL AUTHORITY AS AUTHORIZED  
4 UNDER 1945 PA 47, MCL 331.1 TO 331.11.

5 (B) THE TOTAL POOL WATER SURFACE AREA WITHIN THE SWIMMING POOL  
6 ENCLOSURE IS NOT MORE THAN 2,400 SQUARE FEET.

7 (C) NO DIVING BOARD IS PROVIDED.