# 45-DAY EXPRESS TERMSFOR PROPOSED BUILDING STANDARDSOF THE CALIFORNIA BUILDING STANDARDS COMMISSIONREGARDING THE 2022 CALIFORNIA RESIDENTIAL CODE,

# CALIFORNIA CODE OF REGULATIONS, TITLE 24, PART **2.5**

# (BSC 06/21)

The State agency shall draft the regulations in plain, straightforward language, avoiding technical terms as much as possible and using a coherent and easily readable style. The agency shall draft the regulation in plain English. A notation shall follow the express terms of each regulation listing the specific statutes authorizing the adoption and listing specific statutes being implemented, interpreted, or made specific (Government Code Section 11346.2(a)(1)).

If using assistive technology, please adjust your settings to recognize underline, strikeout, italic and ellipsis.

## LEGEND for EXPRESS TERMS (Based on model codes - Parts 2, 2.5, 3, 4, 5, 9, 10)

* Model Code language appears upright
* Existing California amendments appear in *italic*
* Amended model code or new California amendments appear *underlined and italic*
* Repealed model code language appears ~~upright and in strikeout~~
* Repealed California amendments appear in *~~italic and strikeout~~*
* Ellipsis ( ...) indicate existing text remains unchanged

# INITIAL EXPRESS TERMS

# ITEM 1Chapter 1 - *Division I CALIFORNIA ADMINISTRATION* Section *1.1.3.2 Regulated buildings, structures and applications*

CBSC proposes to amend the “Note” from Section 1.1.3.2 Regulated buildings, structures and applications. The proposed modification to the “Note” replaces a reference to an incorrect location**.**

***1.1.3.2 Regulated buildings, structures and applications.*** *The model code, state amendments to the model code, and/or state amendments where there are no relevant model code provisions shall apply to detached one- and two-family dwellings, lodging houses, live/work units, townhouses, and structures accessory thereto. State agencies with regulatory authority as specified in Sections 1.2 through 1.14, except where modified by local ordinance pursuant to Section 1.1.8. When adopted by a state agency, the provisions of this code shall be enforced by the appropriate enforcing agency, but only to the extent of authority granted to such agency by the state legislature.*

***Note:*** *See ~~Preface to distinguish the model code provisions from the California provisions~~ “How to Distinguish Between Model Code Language and California Amendments” following the Preface.*

**Notation:**

Authority: Health and Safety Code Sections 18931, 18932

Reference(s): Health and Safety Code Sections 16601, 18938.5(b)(2)(B) and 18938.6

# ITEM 2Chapter 1 -Division IIADMINISTRATIONSection *R105.5 Expiration*

CBSC proposes to add a new Section *R105.5.1 Expiration****.***

**R105.5 Expiration**. Every permit issued shall be become invalid unless the work authorized by such permit is commenced within 180 days after its issuance or after commencement of work if more than 180 days pass between inspections. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated.

***R105.5.1 Expiration****.* ***[BSC]*** *On or after January 1, 2019, every permit issued shall become invalid unless the work on the site authorized by such permit is commenced within 12 months after its issuance or if the work authorized on the site by such permit is suspended or abandoned for a period of 12 months after the time the work is commenced. The building official is authorized to grant, in writing, one or more extensions of time, for periods not more than 180 days each. The extension shall be requested in writing and justifiable cause demonstrated*. *(See Health and Safety Code Section 18938.5 and 18938.6.).*

**Notation:**

Authority: Health and Safety Code Sections 18931, 18932(c), 18938.5(b)(2)(B) and 18935.6(a)(b)

Reference(s): Health and Safety Code Sections 16601, 18938.5(b)(2)(B) and 18938.6

# ITEM 3Chapter APPENDIX V – SWIMMING POOL SAFETY ACTSections: ~~AV100.1 through AV100.9~~ AV100

CBSC is proposing to reformat the Swimming Pool Safety Act currently reprinted in Appendix V within the California Residential Code. This action ensures the accurate reprinting of the Swimming Pool Safety Act and maintains the maximum safety standards required in law today. CBSC is also proposing to change the second part of the title Note from that refers to the adoption of this appendix.

***APPENDIX V***

***SWIMMING POOL SAFETY ACT***

*(Note: See Chapter 31, Section 3109 of the California Building Code, Title 24, Part 2.)*

*The provisions contained in this appendix are ~~not~~ mandatory ~~unless specifically adopted by state agency or referenced in the adopting ordinance~~ to reflect* *the Swimming Pool Safety Act found in Health and Safety Code Sections 115920 through 115929.*

***~~AV100 Private swimming pools (statewide).~~*** *~~Sections AV100.1 through AV100.9 contain the text of Article 2.5 (commencing with Section 115920) of Chapter 5 of Part 10 of Division 104 of the Health and Safety Code, which has been reprinted in alignment with the existing format of this code.~~*

*~~NOTE: These regulations …application for a building permit~~. (The Note, Authority and Reference are relocated into reformatted language below)*

*~~Authority: Health and Safety Code Section 18942(b)~~*

*~~Reference: Health and Safety Code Section 18942(b); Chapter 925, Statutes of 1996~~*

***~~AV100.1 Definitions.~~*** *~~As used in this division, the following terms have the following meanings:~~*

***~~ANSI/APSP PERFORMANCE STANDARD~~*** *~~means a standard that is accredited by the American National Standards Institute (ANSI) and published by the Association of Pool and Spa Professionals (APSP).~~*

***~~APPROVED SAFETY POOL COVER~~*** *~~means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with Standard F1346-91.~~*

***~~ENCLOSURE~~*** *~~means a fence, wall or other barrier that isolates a swimming pool from access to the home.~~*

***~~EXIT ALARMS~~*** *~~mean devices that make audible, continuous alarm sounds when any door or window that permits access from the residence to the pool area, that is without any intervening enclosure, is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building.~~*

***~~PUBLIC SWIMMING POOL~~*** *~~means a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club.~~*

***~~SUCTION OUTLET~~*** *~~means a fitting or fixture typically located at the bottom or on the sides of a swimming pool that conducts water to a recirculating pump.~~*

***~~SWIMMING POOL or POOL~~*** *~~means any structure intended for swimming or recreational bathing that contains water over 18 inches (457 mm) deep. Swimming pool includes in-ground and above-ground structures and includes, but is not limited to, hot tubs, spas, portable spas and nonportable wading pools.~~*

*~~Authority: Health and Safety Code Section 18942(b)~~*

*~~Reference(s): Health and Safety Code Section 115921; Chapter 925, Statutes of 1996; Chapter 679, Statutes of 2012~~*

***~~AV100.2 Construction permit; safety features required.~~***

1. *~~Except as provided in Section AV100.5, when a building permit is issued for the construction of a new swimming pool or spa or the remodeling of an existing swimming pool or spa at a private single-family home, the respective swimming pool or spa shall be equipped with at least two of the following seven drowning prevention safety features:~~*
	1. *~~An enclosure that meets the requirements of Section AV100.3 and isolates the swimming pool or spa from the private single-family home.~~*
	2. *~~Removable mesh fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.~~*
	3. *~~An approved safety pool cover, as defined in Section AV100.1.~~*
	4. *~~Exit alarms on the private single-family home’s doors that provide direct access to the swimming pool or spa. The exit alarm may cause either an alarm noise or a verbal warning, such as a repeating notification that “the door to the pool is open.”~~*
	5. *~~5. A self-closing, self-latching device with a release mechanism placed no lower than 54 inches (1372 mm) above the floor on the private single-family home’s doors providing direct access to the swimming pool or spa.~~*
	6. *~~An alarm that, when placed in a swimming pool or spa will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 “Standard Safety specification for Residential Pool Alarms,” which includes surface motion, pressure, sonar, laser and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature.~~*
	7. *~~Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical engineers (ASME).~~*
2. *~~Before the issuance of a final approval for the completion of permitted construction or remodeling work, the local building code official shall inspect the drowning safety prevention features required by this section and, if no violations are found, shall give final approval.~~*

 *~~Authority: Health and Safety Code Section 18942(b)~~*

*~~Reference: Health and Safety Code Section 115922; Chapter 925, Statutes of 1996; Chapter 478, Statutes of 2006; Chapter 670, Statutes 2017~~*

***~~AV100.3 Enclosure; required characteristics~~****~~. An enclosure shall have all of the following characteristics:~~*

1. *~~Any access gates through the enclosure open away from the swimming pool and are self-closing with a self-latching device placed no lower than 60 inches (1524 mm) above the ground.~~*
2. *~~A minimum height of 60 inches (1524 mm).~~*
3. *~~A maximum vertical clearance from the ground to the bottom of the enclosure of 2 inches (51 mm).~~*
4. *~~Gaps or voids, if any, do not allow passage of a sphere equal to or greater than 4 inches (102 mm) in diameter.~~*
5. *~~An outside surface free of protrusions, cavities or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.~~*

*~~Authority: Health and Safety Code Section 18942(b)~~*

*~~Reference: Health and Safety Code Section 115923; Chapter 925, Statutes of 1996~~*

***~~AV100.4 Agreements to build; notice of provisions~~****~~.~~*

1. *~~Any person entering into an agreement to build a swimming pool or spa, or to engage in permitted work on a pool or spa covered by this article, shall give the consumer notice of the requirements of this article.~~*
2. *~~Pursuant to existing law, the Department of Health Services shall have available on the department's web site, commencing January 1, 2007, approved pool safety information available for consumers to download. Pool contractors are encouraged to share this information with consumers regarding the potential dangers a pool or spa poses toddlers. Additionally, pool contractors may provide the consumer with swimming pool safety materials produced from organizations such as the United States Consumer Product Safety Commission, Drowning Prevention Foundation, California Coalition for Children's Safety & Health, Safe Kids Worldwide, Association of Pool and Spa Professionals, or the American Academy of Pediatrics.~~*

*~~Authority: Health and Safety Code Section 18942(b)~~*

*~~Reference: Health and Safety Code Section 115924; Chapter 925, Statutes of 1996; Chapter 478, Statutes of 2006~~*

***~~AV100.5 Exempt facilities~~****~~. The requirements of this article do not apply to any of the following:~~*

1. *~~Public swimming pools.~~*
2. *~~Hot tubs or spas with locking safety covers that comply with the American Society for Testing and Materials (ASTM F1346).~~*
3. *~~An apartment complex or any residential setting other than a single-family home.~~*

*~~Authority: Health and Safety Code Section 18942(b)~~*

*~~Reference: Health and Safety Code Section 115925; Chapter 925, Statutes of 1996; Chapter 670, Statutes of 2017~~*

***~~AV100.6 Application to facilities regulated by Department of Social Services.~~*** *~~This division does not apply to any facility regulated by the State Department of Social Services even if the facility is also used as a private residence of the operator.~~*

*~~Pool safety in those facilities shall be regulated pursuant to regulations adopted therefor by the State Department of Social Services.~~*

*~~Authority: Health and Safety Code Section 18942(b)~~*

*~~Reference: Health and Safety Code Section 115926; Chapter 925, Statutes of 1996~~*

***~~AV100.7 Modification and interpretation of division~~****~~. Notwithstanding any other provision of law, this article shall not be subject to further modification or interpretation by any~~*

*~~regulatory agency of the state, this authority being reserved exclusively to local jurisdictions, as provided for in Item 7 of AV100.2 and Item 3 of AV100.5.~~*

*~~Authority: Health and Safety Code Section 18942(b)~~*

*~~Reference: Health and Safety Code Section 115927; Chapter 925, Statutes of 1996~~*

***~~AV100.8 Construction requirements for building a pool or spa~~****~~. Whenever a building permit is issued for the construction a new swimming pool or spa, the pool or spa shall meet all of the following requirements:~~*

1. *~~The suction outlets of the pool or spa for which the permit is issued shall be equipped to provide circulation throughout the pool or spa as prescribed in Paragraphs 2 and 3.~~*
2. *~~The swimming pool or spa shall either have at least two circulation suction outlets per pump that shall be hydraulically balanced and symmetrically plumbed through one or more “T” fittings, and that are separated by a distance of at least three feet in any dimension between the suction outlets, or be designed to use alternatives to suction outlets, including, but not limited to, skimmers or perimeter overflow systems to conduct water to the recirculation pump.~~*
3. *~~The circulation system shall have the capacity to provide a complete turnover of pool water, as specified in Section 3124B of Chapter 31B of the California Building Standards Code (Title 24 of the California Code of Regulations).~~*
4. *~~Suction outlets shall be covered with anti-entrapment grates, as specified in the ANSI/APSP-16 performance standard or successor standard designated by the federal. Consumer Product Safety Commission, that cannot be removed except with the use of tools. Slots of openings in the grates or similar protective devices shall be of a shape, area and arrangement that would prevent physical entrapment and would not pose any suction hazard to bathers.~~*
5. *~~Any backup safety system that an owner of a new swimming pools or spa may choose to install in addition to the requirements set forth in subdivisions (1) through (4) above shall meet the standards as published in the document, “Guidelines for Entrapment Hazards: Making Pools and Spas Safer,” Publication Number 363, March 2005, United States Consumer Products Safety Commission.~~*

*~~Authority: Health and Safety Code Section 18942(b)~~*

*~~Reference: Health and Safety Code Section 115928; Chapter 679, Statutes of 2002; Chapter 62, Statutes of 2003; Chapter 478, Statutes of 2006; Chapter 596, Statutes of 2007; Chapter 679, Statutes of 2012~~*

***~~AV100.8.5 (formerly AV100.8.6) Suction outlet upgrade requirements during remodel or modification~~****~~. Whenever a building permit is for the remodel or modification of any existing swimming pool, toddler pool, or spa, the permit shall require that the suction outlet or suction outlets of the existing swimming pool, toddler pool, or spa be upgraded so as to be equipped with anti-entrapment grates, as specified in the ANSI/APSP-16 performance standard or a successor standard designated by the federal Consumer Product Safety Commission.~~*

*~~Authority: Health and Safety Code Section 18942(b)~~*

*~~Reference: Health and Safety Code Section 115928.5; Chapter 596, Statutes of 2007; Chapter 679, Statutes of 2012~~*

***~~AV100.9 Informative documents~~****~~.~~*

1. *~~The legislature encourages a private entity, in consultation with the Epidemiology and Prevention for Injury Control Branch of the department, to produce an informative brochure or booklet, for consumer use, explaining the child drowning hazards of, possible safety measures for, and appropriate drowning hazard prevention measures for, home swimming pools and spas, and to donate the document to the department.~~*
2. *~~The legislature encourages the private entity to use existing documents from the United States Consumer Product Safety Commission on pool safety.~~*
3. *~~If a private entity produces the document described in Subdivisions 1 and 2 and donates it to the department, the department shall review and approve the brochure or booklet.~~*
4. *~~Upon approval of the document by the department, the document shall become the property of the state and a part of the public domain. The department shall place the document on its website in a format that is readily available for downloading and for publication. The department shall review the document in a timely and prudent fashion and shall complete the review within 18 months of receipt of the document from a private entity.~~*

*~~Authority: Health and Safety Code Section 18942(b)~~*

*~~Reference: Health and Safety Code Section 115929; Chapter 422, Statutes of 2003~~*

***AV100 California swimming pool safety act (statewide).***

*The following text in this section contains the statutory language in the Swimming Pool Safety Act (HS Code, Sections* *115920 through 115929) that is required to be duplicated and published in California Code of Regulations, Title 24. As such, the section numbers reflect those within the Health and Safety Code.*

*NOTE: These regulations are subject to local government modification. You should verify the applicable local government requirements at the time of application for a building permit.*

*Authority: Health and Safety Code Section 18942(b)*

*Reference: Health and Safety Code Section 18942(b); Chapter 925, Statutes of 1996*

***115920****. This act shall be known and may be cited as the Swimming Pool Safety Act.*

*(Added by Stats. 1996, Ch. 925, Sec. 3.5. Effective January 1, 1997.)*

***115921****. As used in this article the following terms have the following meanings:*

1. *“Swimming pool” or “pool” means any structure intended for swimming or recreational bathing that contains water over 18 inches deep. “Swimming pool” includes in-ground and aboveground structures and includes, but is not limited to, hot tubs, spas, portable spas, and nonportable wading pools.*
2. *“Public swimming pool” means a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club. Public swimming pool does not include a swimming pool located on the grounds of a private single-family home.*
3. *“Enclosure” means a fence, wall, or other barrier that isolates a swimming pool from access to the home.*
4. *“Approved safety pool cover” means a manually or power-operated safety pool cover that meets all of the performance standards of the American Society for Testing and Materials (ASTM), in compliance with standard F1346-91.*
5. *“Exit alarms” means devices that make audible, continuous alarm sounds when any door or window, that permits access from the residence to the pool area that is without any intervening enclosure, is opened or is left ajar. Exit alarms may be battery operated or may be connected to the electrical wiring of the building.*
6. *“ANSI/APSP performance standard” means a standard that is accredited by the American National Standards Institute (ANSI) and published by the Association of Pool and Spa Professionals (APSP).*
7. *“Suction outlet” means a fitting or fixture typically located at the bottom or on the sides of a swimming pool that conducts water to a recirculating pump.*

*[Amended by Stats. 2012, Ch. 679, Sec. 1. (AB 2114) Effective January 1, 2013.]*

***115922***

1. *Except as provided in Section 115925, when a building permit is issued for the construction of a new swimming pool or spa or the remodeling of an existing swimming pool or spa at a private single-family home, the respective swimming pool or spa shall be equipped with at least two of the following seven drowning prevention safety features:*
	1. *An enclosure that meets the requirements of Section 115923 and isolates the swimming pool or spa from the private single-family home.*
	2. *Removable mesh fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device.*
	3. *An approved safety pool cover, as defined in subdivision (d) of Section 115921.*
	4. *Exit alarms on the private single-family home’s doors that provide direct access to the swimming pool or spa. The exit alarm may cause either an alarm noise or a verbal warning, such as a repeating notification that “the door to the pool is open.”*
	5. *A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor on the private single-family home’s doors providing direct access to the swimming pool or spa.*
	6. *An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 “Standard Safety Specification for Residential Pool Alarms,” which includes surface motion, pressure, sonar, laser, and infrared type alarms. A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature.*
	7. *Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME).*
2. *Before the issuance of a final approval for the completion of permitted construction or remodeling work, the local building code official shall inspect the drowning safety prevention features required by this section and, if no violations are found, shall give final approval. [Amended by Stats. 2017, Ch. 670, Sec. 4. (SB 442) Effective January 1, 2018.]*

***115923****. An enclosure shall have all of the following characteristics:*

1. *Any access gates through the enclosure open away from the swimming pool and are self-closing with a self-latching device placed no lower than 60 inches above the ground.*
2. *A minimum height of 60 inches.*
3. *A maximum vertical clearance from the ground to the bottom of the enclosure of two inches.*
4. *Gaps or voids, if any, do not allow passage of a sphere equal to or greater than four inches in diameter.*
5. *An outside surface free of protrusions, cavities, or other physical characteristics that would serve as handholds or footholds that could enable a child below the age of five years to climb over.*

*(Added by Stats. 1996, Ch. 925, Sec. 3.5. Effective January 1, 1997.)*

***115924***

1. *Any person entering into an agreement to build a swimming pool or spa, or to engage in permitted work on a pool or spa covered by this article, shall give the consumer notice of the requirements of this article.*
2. *Pursuant to existing law, the Department of Health Services shall have available on the department’s Web site, commencing January 1, 2007, approved pool safety information available for consumers to download. Pool contractors are encouraged to share this information with consumers regarding the potential dangers a pool or spa poses to toddlers. Additionally, pool contractors may provide the consumer with swimming pool safety materials produced from organizations such as the United States Consumer Product Safety Commission, Drowning Prevention Foundation, California Coalition for Children’s Safety & Health, Safe Kids Worldwide, Association of Pool and Spa Professionals, or the American Academy of Pediatrics.*

*(Amended by Stats. 2006, Ch. 478, Sec. 3. Effective January 1, 2007.)*

***115925****. The requirements of this article do not apply to any of the following:*

1. *Public swimming pools.*
2. *Hot tubs or spas with locking safety covers that comply with the American Society for Testing and Materials (ASTM F1346).*
3. *An apartment complex, or any residential setting other than a single-family home.*

*[Amended by Stats. 2017, Ch. 670, Sec. 5. (SB 442) Effective January 1, 2018.]*

***115926****. This article does not apply to any facility regulated by the State Department of Social Services even if the facility is also used as the private residence of the operator. Pool safety in those facilities shall be regulated pursuant to regulations adopted therefor by the State Department of Social Services.*

*(Added by Stats. 1996, Ch. 925, Sec. 3.5. Effective January 1, 1997.)*

***115927****. Notwithstanding any other provision of law, this article shall not be subject to further modification or interpretation by any regulatory agency of the state, this authority*

*being reserved exclusively to local jurisdictions, as provided for in paragraph (7) of subdivision (a) of Section 115922 and subdivision (c) of Section 115925.*

*(Amended by Stats. 2018, Ch. 957, Sec. 13. (SB 1078) Effective January 1, 2019.)*

***115928****. Whenever a building permit is issued for the construction of a new swimming pool or spa, the pool or spa shall meet all of the following requirements:*

1. *(1) The suction outlets of the pool or spa for which the permit is issued shall be equipped to provide circulation throughout the pool or spa as prescribed in paragraphs (2) and (3).*

*(2) The swimming pool or spa shall either have at least two circulation suction outlets per pump that shall be hydraulically balanced and symmetrically plumbed through one or more “T” fittings, and that are separated by a distance of at least three feet in any dimension between the suction outlets, or be designed to use alternatives to suction outlets, including, but not limited to, skimmers or perimeter overflow systems to conduct water to the recirculation pump.*

*(3) The circulation system shall have the capacity to provide a complete turnover of pool water, as specified in Section 3124B of Chapter 31B of the California Building Standards Code (Title 24 of the California Code of Regulations).*

1. *Suction outlets shall be covered with antientrapment grates, as specified in the ANSI/APSP-16 performance standard or successor standard designated by the federal Consumer Product Safety Commission, that cannot be removed except with the use of tools. Slots or openings in the grates or similar protective devices shall be of a shape, area, and arrangement that would prevent physical entrapment and would not pose any suction hazard to bathers.*
2. *Any backup safety system that an owner of a new swimming pool or spa may choose to install in addition to the requirements set forth in subdivisions (a) and (b) shall meet the standards as published in the document, “Guidelines for Entrapment Hazards: Making Pools and Spas Safer,” Publication Number 363, March 2005, United States Consumer Product Safety Commission.*

*[Amended by Stats. 2012, Ch. 679, Sec. 2. (AB 2114) Effective January 1, 2013.]*

***115928.5****. Whenever a building permit is issued for the remodel or modification of an existing swimming pool, toddler pool, or spa, the permit shall require that the suction*

*outlet or suction outlets of the existing swimming pool, toddler pool, or spa be upgraded so as to be equipped with antientrapment grates, as specified in the ANSI/APSP-16 performance standard or a successor standard designated by the federal Consumer Product Safety Commission.*

*[Amended by Stats. 2012, Ch. 679, Sec. 3. (AB 2114) Effective January 1, 2013.]*

***115929****.*

1. *The Legislature encourages a private entity, in consultation with the Epidemiology and Prevention for Injury Control Branch of the department, to produce an informative brochure or booklet, for consumer use, explaining the child drowning hazards of, possible safety measures for, and appropriate drowning hazard prevention measures for, home swimming pools and spas, and to donate the document to the department.*
2. *The Legislature encourages the private entity to use existing documents from the United States Consumer Product Safety Commission on pool safety.*
3. *If a private entity produces the document described in subdivisions (a) and (b) and donates it to the department, the department shall review and approve the brochure or booklet.*
4. *Upon approval of the document by the department, the document shall become the property of the state and a part of the public domain. The department shall place the document on its Web site in a format that is readily available for downloading and for publication. The department shall review the document in a timely and prudent fashion and shall complete the review within 18 months of receipt of the document from a private entity.*

*(Added by Stats. 2003, Ch. 422, Sec. 3. Effective January 1, 2004.)*

**Notation:**Authority: Health and Safety Code Sections 18942(b)

Reference(s): Health and Safety Code Sections 16601, 115920, 115921, 115922, 115923, 115924, 115925, 115926, 115927, 115928 and 115929