Amendment No.

CHAMBER ACTION

<u>Senate</u>   <u>House</u>

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1   Representative Galvano offered the following:

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3   **Amendment to Senate Amendment (427394) (with title**

4   **amendment)**

5   Remove line 969 and insert:

6   Section 27. Effective January 1, 2009, section 515.295,

7   Florida Statutes, is created to read:

8   <u>515.295 Residential swimming pool and spa drain-cover</u>

9   <u>safety.--</u>

10   <u>(1) For purposes of this section, the term:</u>

11   <u>(a) "ASME/ANSI" as applied to a safety standard means a</u>

12 <u>standard that is accredited by the American National Standards</u>

13 <u>Institute and published by the American Society of Mechanical</u>

14 <u>Engineers.</u>

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15   (b) "Main drain" means a submerged suction outlet

16 typically located at the bottom of a swimming pool or spa to

17 conduct water to a recirculating pump.

18   (c) "Safety vacuum release system" means a vacuum release

19 system capable of providing vacuum release at a suction outlet

20 caused by a high vacuum occurrence due to a suction outlet flow

21 blockage.

22   (d) "Unblockable drain" means a drain of any size and

23 shape which a human body cannot sufficiently block to create a

24 suction-entrapment hazard.

25   (2) All residential swimming pools and spas constructed on

26 or after January 1, 2009, must have more than one drain, one or

27 more unblockable drains, or no main drain.

28   (3) All residential swimming pools and spas constructed on

29 or after January 1, 2009, having a main drain, other than an

30 unblockable drain, must be equipped with a drain cover that

31 meets the consumer product safety standard established by s.

32 1404 of Title XIV of the Federal Energy Independence and

33 Security Act of 2007.

34   (4) All residential swimming pools and spas constructed on

35 or after January 1, 2009, must be equipped with one or more of

36 the following devices and systems designed to prevent entrapment

37 by the pool or spa drain:

38   (a) A safety vacuum release system that ceases operation

39 of the pump, reverses the circulation flow, or otherwise

40 provides a vacuum release at a suction outlet when a blockage is

41 detected. Such system must have been tested by an independent

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42 | third party and found to conform to ASME/ANSI standard

43 | A112.19.17 or ASTM standard F2387.

44 | (b) A suction-limiting vent system that has a tamper-

45 | resistant atmospheric opening.

46 | (c) A gravity drainage system that uses a collector tank.

47 | (d) An automatic pump shut-off system.

48 | (e) A device or system that disables the drain.

49 | (f) Any other system determined by the department to be

50 | equally effective as, or better than, the systems described in

51 | this subsection at preventing or eliminating the risk of injury

52 | or death associated with swimming pool and spa drainage systems.

53 | (5) Any device or system described in subsection (4) must

54 | meet the requirements of any ASME/ANSI or ASTM performance

55 | standard, if there is such a standard for such a device or

56 | system, or any applicable consumer product safety standard.

57 | (6) The Department of Health shall apply for and

58 | implement, if awarded, a federal grant for swimming pool and spa

59 | safety standards education and enforcement under the State

60 | Swimming Pool Safety Grant Program as established in 15 U.S.C.

61 | s. 8004. To ensure the state's eligibility for the grant award,

62 | the Department of Health, in coordination with the Department of

63 | Community Affairs and the Florida Building Commission, shall

64 | assess the Florida Statutes and the Florida Building Code to

65 | determine if additional changes are necessary to ensure

66 | compliance with federal standards regarding swimming pool and

67 | spa safety. The Department of Health shall provide the

68 | assessment to the Legislature by January 1, 2009.

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69   Section 28. Except as otherwise expressly provided in this

70 act, this act shall take effect July 1, 2008.

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73   **T I T L E A M E N D M E N T**

74   Remove line 1098 and insert:

75 report to the Legislature; creating s. 515.295, F.S.; providing

76 definitions; requiring residential pools and spas built after a

77 specified date to have certain features; requiring grant

78 application and implementation; requiring a report to the

79 Legislature by a time certain; providing effective dates.

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