

By Senator Torres

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1 A bill to be entitled
2 An act relating to sensory deprivation tanks; amending
3 s. 514.011, F.S.; excluding sensory deprivation tanks
4 used for flotation therapy from the definition of the
5 term "public swimming pool" or "public pool"; amending
6 s. 514.0115, F.S.; exempting sensory deprivation tanks
7 from regulation by the Department of Health as a
8 public pool; amending s. 553.77, F.S.; conforming a
9 cross-reference; providing an effective date.

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11 Be It Enacted by the Legislature of the State of Florida:

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13 Section 1. Subsection (2) of section 514.011, Florida
14 Statutes, is amended to read:

15 514.011 Definitions.—As used in this chapter:

16 (2) "Public swimming pool" or "public pool" means a
17 watertight structure of concrete, masonry, or other approved
18 materials which is located either indoors or outdoors, used for
19 bathing or swimming by humans, and filled with a filtered and
20 disinfected water supply, together with buildings,
21 appurtenances, and equipment used in connection therewith. A
22 public swimming pool or public pool shall mean a conventional
23 pool, spa-type pool, wading pool, special purpose pool, or water
24 recreation attraction, to which admission may be gained with or
25 without payment of a fee and includes, but is not limited to,
26 pools operated by or serving camps, churches, cities, counties,
27 day care centers, group home facilities for eight or more
28 clients, health spas, institutions, parks, state agencies,
29 schools, subdivisions, or the cooperative living-type projects

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30 of five or more living units, such as apartments,
31 boardinghouses, hotels, mobile home parks, motels, recreational
32 vehicle parks, and townhouses. The term does not include a
33 sensory deprivation tank used exclusively for flotation therapy.

34 Section 2. Present subsection (7) of section 514.0115,
35 Florida Statutes, is renumbered as subsection (8), and a new
36 subsection (7) is added to that section, to read:

37 514.0115 Exemptions from supervision or regulation;
38 variances.—

39 (7) A sensory deprivation tank used exclusively for
40 flotation therapy may not be regulated as a public pool.

41 Section 3. Subsection (7) of section 553.77, Florida
42 Statutes, is amended to read:

43 553.77 Specific powers of the commission.—

44 (7) Building officials shall recognize and enforce variance
45 orders issued by the Department of Health pursuant to s.
46 514.0115(8) ~~s. 514.0115(7)~~, including any conditions attached to
47 the granting of the variance.

48 Section 4. This act shall take effect July 1, 2019.