

2021 -- H 6284

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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2021

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A N A C T

RELATING TO HEALTH AND SAFETY -- LICENSING OF SWIMMING POOLS

Introduced By: Representatives Morgan, and Serpa

Date Introduced: April 29, 2021

Referred To: House Health & Human Services

It is enacted by the General Assembly as follows:

1           SECTION 1. Sections 23-22-6 and 23-22-15 of the General Laws in Chapter 23-22 entitled  
2 "Licensing of Swimming Pools" are hereby amended to read as follows:

3           **23-22-6. License required -- Term of license -- Application -- Fee.**

4           (a) No person shall maintain within this state a swimming pool until that person shall have  
5 obtained the appropriate license from the department. Licenses shall be of two (2) types, year-round  
6 or seasonal. The director, upon receipt of an application for a license to operate a swimming pool,  
7 shall cause that swimming pool to be inspected and if the swimming pool is found to comply with  
8 the provisions of this chapter and the regulations adopted in accordance with this chapter, shall  
9 issue a license upon receipt of a fee for a year-round license, for the first pool at one location and  
10 an additional fee for each additional pool at the same location. The director shall issue a license  
11 upon receipt of a fee for a seasonal license for the first pool at one location and an additional fee  
12 for each additional pool at the same location. Seasonal licenses shall begin no sooner than June 1,  
13 and expire on September 30 of the year issued and year-round licenses shall expire on December  
14 31 of the year issued, unless sooner revoked for violation of the provisions of this chapter or of the  
15 regulations adopted in accordance with this chapter. Provided, however, every organization which  
16 provides recreational facilities for persons under the age of eighteen (18) years and which is exempt  
17 from income taxes pursuant to the provisions of 26 U.S.C. § 501(c)(3), and which maintains a  
18 swimming pool shall pay a fee for a year-round license. All fees required by this section shall be  
19 as set forth in § 23-1-54. The provisions of this chapter shall not apply to any swimming pool

1 maintained by the state.

2 (b) No lifeguard shall be required for any pool licensed in this chapter; provided, a lifeguard  
3 shall be on duty if the pool is used by a swim club or a group of unsupervised children who may  
4 have access to the pool. Operators of pools shall, when no lifeguard is on duty:

5 (1) Require an attendant and/or a mechanical system to limit access to guests and members  
6 only;

7 (2) ~~Require a person trained in first aid to be physically located in close proximity to the~~  
8 ~~pool in question;~~

9 (3) Require the following signs to be posted in a conspicuous place:

10 (i) NO LIFEGUARD ON DUTY -- SWIM AT YOUR OWN RISK (minimum 4" letters in  
11 RED)

12 (ii) NO ONE UNDER 18 PERMITTED UNLESS ACCOMPANIED BY AN ADULT

13 (iii) ADULTS SHOULD NOT SWIM ALONE

14 (iv) A SCHEDULE OF POOL HOURS

15 (v) NO GLASS IN POOL AREA

16 (vi) NO RUNNING OR ROUGH HOUSING

17 (vii) NO DIVING

18 (viii) NO ANIMALS OR PETS

19 (4) Require, in the case of outdoor pools, in addition to the above requirements, a fence  
20 with a lockable gate or door, a minimum of not less than six feet (6') in height, which completely  
21 surrounds the pool area.

22 **23-22-15. Condominium pools -- Life guards.**

23 Notwithstanding any general or public law to the contrary, condominium projects ~~with~~  
24 ~~forty five (45) units or less~~ are not required to have a life guard on duty at any swimming pool  
25 located on the premises. Provided, that where there is no life guard required to be on the premises,  
26 no minor shall be permitted access to any swimming pool on the premises unless accompanied by  
27 a parent or other responsible adult.

28 SECTION 2. This act shall take effect upon passage.

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EXPLANATION  
BY THE LEGISLATIVE COUNCIL  
OF

A N A C T

RELATING TO HEALTH AND SAFETY -- LICENSING OF SWIMMING POOLS

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1           This act would eliminate the requirement that persons maintaining swimming pools for  
2 other than sole personal use shall have a person trained in first aid to be physically located in close  
3 proximity to the swimming pool if no lifeguard is on duty. This act would also provide that all  
4 condominium projects are not required to have a life guard at the condominium swimming pool;  
5 provided that, minors must be accompanied by a parent or responsible adult.

6           This act would take effect upon passage.

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