

State of California—Health and Human Services Agency
California Department of Public Health

**Compliance Information for the Public Pool and Spa Safety Act-
Assembly Bill 1020**

Assembly Bill 1020, a law to implement new requirements to prevent entrapment hazards in public swimming pools and spas, was recently signed by Governor Arnold Schwarzenegger. The purpose of this new law is to ensure that California law is in conformance with new federal safety standards (Virginia Graeme Baker Pool and Spa Safety Act) designed to prevent entrapment hazards associated with public swimming pools and spas. More specifically, this new law will increase the safety of public swimming pools and spas by 1) adopting the federal swimming pool and spa drain cover standard, and 2) ensuring that public swimming pools and spas are equipped with proper safety devices. An informational side by side document of AB 1020 shows the difference between the federal act and state law.

The new safety measures required by Assembly Bill 1020 include the following elements and are also depicted in the Compliance Guide for Assembly Bill 1020 (Flowchart). On or after January 1, 2010, all newly constructed public swimming pools shall be equipped with drain covers that comply with the applicable ASME/ANSI performance standard.

- Public swimming pools with a single main drain that is not an unblockable drain shall be further equipped with at least one more safety device that would prevent physical entrapment by pool drains.
- Public swimming pools constructed on or after January 1, 2010, shall have at least two main drains per pump that are hydraulically balanced and symmetrically plumbed through one or more "T" fittings, and that are separated by a distance of at least three (3) feet in any dimension between the drains. These public swimming pools constructed with two main drains per pump are still required to be equipped with drain covers that comply with the applicable ASME/ANSI performance standard. However, these public swimming pools will not be required to be further equipped with at least one more safety device as would be required for a public swimming pool with a single main drain that is not an unblockable drain.
- Public swimming pools constructed prior to January 1, 2010, shall be retrofitted to comply with these requirements to prevent entrapment by July 1, 2010.
- Public swimming pools that completed a retrofit between December 19, 2007, and January 1, 2010, that complied with the federal Virginia Graeme Baker Pool and Spa Safety Act are exempt from further retrofitting, provided that the public swimming pool owner files the required documentation of the retrofit. The required documentation is either a completed compliance form issued by the California Department of Public Health (CDPH), or a signed statement attesting that the required work has been completed. The signed statement must include the following:
 1. A document containing the name and license number of the qualified individual who completed the required work, and
 2. Either a copy of the final building permit, if required by the local agency, or a copy of one of the following documents if no permit was required:
- Public swimming pool owners shall file a completed CDPH-issued compliance form with the local environmental health department within 30 days following the completion of the swimming pool construction or required installation of drain covers and other anti-entrapment devices or systems.

- CDPH may, until January 1, 2014, assess an annual fee on public swimming pool owners in an amount not to exceed the amount necessary to defray CDPH's costs of carrying out its duties as required by Assembly Bill 1020. In no case shall this fee exceed six dollars.
- Local health departments may retain a portion of the fee collected for CDPH in an amount necessary to cover the administrative costs of collecting the fee. In no case shall the local health department retain more than one dollar.

For more specific information on the new requirements to prevent entrapment hazards in public swimming pools and spas, please contact your local environmental health department. Also refer to your local environmental health department and local building department for any necessary plan approval and permits prior to construction.