



H.R. 1721 - Pool and Spa Safety Act

FLOOR SITUATION

H.R. 1721 is being considered on the floor under suspension of the rules and will require a two-thirds majority vote for passage. This legislation was introduced by Representative Debbie Wasserman Schultz (D-FL) on March 27, 2007. The bill was ordered to be reported, as amended, by voice vote by the Committee on Energy and Commerce on September 27, 2007.

H.R. 1721 is expected to be considered on the floor of the House of Representatives on October 9, 2007.

**Note: Similar legislation, S. 3718, was introduced in the 109th Congress by Senator George Allen (R-VA) on July 24, 2006 and was passed in the Senate by unanimous Consent on December 6, 2006, and failed in the House of Representatives on suspension (2/3 required) by a vote of 191-108 ([Roll no. 542](#)).*

SUMMARY

Federal Standard for Swimming Pools and Spas

H.R. 1721 establishes a new consumer product safety standard that becomes effective one year after the date of enactment of H.R. 1721 and requires each swimming pool or spa drain cover that is “manufactured, distributed, or entered into commerce in the United States” to conform to the entrapment protection standards of the American National Standards Institute (ASME) and the American Society of Mechanical Engineers (ANSI).

Federal Grant Program for State Spa and Swimming Pool Safety

The bill authorizes \$25 million over FY2009-2013 for the Consumer Product Safety Commission (CPSC) to establish, implement, and administrate a grant program to provide pool safety grants to eligible states. The grants will be subject to available appropriations. States must apply for the grants, and the CPSC will determine the amount of the grants. States that receive grants must use 50% to hire and train enforcement personnel to implement and enforce the state swimming pool and spa safety standards. The remainder may be used for such activities as:

- Educating pool and spa construction, installation, and repair companies about the state standards affecting them;
- Educating pool owners, operators, and the public about the state safety pool and spa standards; and,

- Defraying the administrative costs associated with such training and education programs.

Requirements for States to be Eligible for Pool and Spa Safety Grants

The bill establishes minimum standards that states must meet in order to be eligible for the federal pool safety grants, including implementing state laws that require:

- The enclosure of all outdoor residential pools and spas by barriers to entry that will effectively prevent small children from gaining unsupervised and unfettered access to the pool or spa;
- That all pools and spas are equipped with devices designed to prevent entrapment by pool or spa drains; and,
- That pools or spas built more than one year after the enactment of the state statute have more than one drain per circulation pump, one or more unblockable drains per circulation pump; or, no main drain, and that every pool or spa that has a single main drain, other than an unblockable drain be equipped with a drain cover that meets consumer product safety standards.

Education Program

H.R. 1721 authorizes \$25 million over FY2008-2012 for the CPSC to establish and carry out an education program to inform the public of methods to prevent drowning and entrapment in swimming pools and spas. The program will include a national media campaign to promote pool and spa safety awareness and the development of other educational materials.

BACKGROUND

There are approximately 4.7 million in-ground pools in the United States, along with 3.6 million above-ground pools and 5.4 million portable hot tubs in use. CPSC reports there are about 280 drowning deaths of children younger than 5 each year in swimming pools, and an estimated 2,100 children were treated in hospital emergency rooms for pool submersion injuries in 2005 – mostly in residential pools.

In a CPSC study, almost 70 percent of the victims were last seen in the house or nearby on a porch or in the yard before the incident. Drowning can occur very quickly and about 77 percent of the victims had been missing for 5 minutes or less when they were found.

[\(May 17, 2006 CPSC Press Release\)](#)

COST

A cost estimate from the Congressional Budget Office (CBO) was not available at the time of publication.

Staff Contact

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