



RON CHAPMAN, MD, MPH
Director & State Health Officer

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



EDMUND G. BROWN JR.
Governor

August 10, 2012

Directors of Environmental Health
County Health Officers

Statement Regarding the Impact of AB1467

Assembly Bill (AB) 1467 became effective on June 27, 2012. The key elements contained in the law, which became effective January 1, 2010, related to the federal Virginia Graeme Baker Pool and Spa Safety Act remain in effect. Changes to the law that were made by AB 1467 include a requirement that public swimming pools be equipped with antientrapment devices or systems that comply with ANSI/APSP standard 16. Other safety measures can be used if they conform to applicable ASME/ANSI or ASTM performance standards. The bill eliminated the provision that made new ASME/ANSI or ASTM standards enforceable in California if approved by the California Department of Public Health (Department). The bill also eliminates the Recreational Health Fund and the Department's authority to administer or enforce specified public swimming pool provisions related to antientrapment devices. However, local health officers and directors of environmental health continue to have authority to enforce the anti-entrapment law.

The Recreational Health Fund had allowed the Department to assess an annual surcharge on public swimming pool owners and those fees were to be collected by the local health department and deposited into the Recreational Health Fund. Money in the fund was available to the department, upon appropriation by the Legislature, for the purpose of carrying out its responsibilities under the statute.

As of June 27, 2012, the effective date of the bill, counties are no longer authorized to collect the annual surcharge from public pool owners. Money that has been collected prior to June 27, 2012 should be sent to the State as provided in the Section 116064.2 as that law read prior to June 27, 2012. Local agencies should contact their legal counsel with any questions related to the collection of the surcharge and submittal of the funds to the State.

In addition to the changes made by the passage of AB 1467 the minimum standards for the design and construction of public swimming pools in the California Building Code,

County Environmental Health Directors and Health Officers
Page 2
August 10, 2012

California Code of Regulations, Title 24 has been amended and these amendments become effective September 1, 2012, HSC 116053 gives local health offices authority to enforce the Building Standards.

Please contact Mark Jeude, Chief of the Environmental Health Services Section, at (916) 449-5693 if you request further information.

Sincerely,

A handwritten signature in blue ink, appearing to read "Kelvin Yamada". The signature is written in a cursive style with a large initial "K".

Kelvin Yamada, Chief
Environmental Management Branch
Division of Drinking Water and Environmental Management
California Department of Public Health