

STAND. COM. REP. NO.

2936

Honolulu, Hawaii

MAR 04 2022

RE: S.B. No. 2804
S.D. 2

Honorable Ronald D. Kouchi
President of the Senate
Thirty-First State Legislature
Regular Session of 2022
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2804, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO POOLS,"

begs leave to report as follows:

The purpose and intent of this measure is to define "pool" to mean a watertight artificial structure containing a body of water that does not exchange water with any other body of water either naturally or mechanically used for swimming, diving, recreational bathing, or therapy by humans.

Your Committee received testimony in support of this measure from the Department of Health and two individuals.

Your Committee finds that public swimming pools are currently regulated under the Hawaii Administrative Rules, which require established turnover rates and disinfectant residuals to ensure that proper filtering of the water is occurring at all times during use by the public. Your Committee further finds that man-made lagoons and pools, such as the Natatorium, cannot meet these requirements and do not meet nationally recognized definitions of a "public swimming pool". Therefore, alternative public health standards for other public recreational waters, such as beaches, should be applied to these structures instead, particularly if the owner of the structure intends to use the ocean or ocean venue for swimming. This measure clarifies the definition of "pool" so that



certain structures such as man-made lagoons and pools do not fall under the regulation of "pools".

Your Committee has amended this measure by making a technical, nonsubstantive amendment for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2804, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2804, S.D. 2.

Respectfully submitted on
behalf of the members of the
Committee on Judiciary,



KARL RHOADS, Chair



The Senate
 Thirty-First Legislature
 State of Hawai'i

Record of Votes
Committee on Judiciary
JDC

Bill / Resolution No.:* SB2804, SD1	Committee Referral: HTH, JDC	Date: 03-01-22		
<input type="checkbox"/> The Committee is reconsidering its previous decision on this measure. If so, then the previous decision was to: _____				
The Recommendation is: <input type="checkbox"/> Pass, unamended 2312 <input checked="" type="checkbox"/> Pass, with amendments 2311 <input type="checkbox"/> Hold 2310 <input type="checkbox"/> Recommit 2313				
Members	Aye	Aye (WR)	Nay	Excused
RHOADS, Karl (C)	✓			
KEOHOKALOLE, Jarrett (VC)	✓		—	
ACASIO, Laura	✓			
GABBARD, Mike	✓			
KIM, Donna Mercado	✓			
LEE, Chris	✓			
FEVELLA, Kurt	✓			
TOTAL	7	—	—	—
Recommendation: <input checked="" type="checkbox"/> Adopted <input type="checkbox"/> Not Adopted				
Chair's or Designee's Signature: Karl Rhoads				
Distribution: Original Yellow Pink Goldenrod File with Committee Report Clerk's Office Drafting Agency Committee File Copy				

*Only one measure per Record of Votes