

Effective & State Law as of 1/1/2018
California Code, Health and Safety Code - HSC § 115922&3

- 115922. (a) Except as provided in Section 115925, when a building permit is issued for the construction of a new swimming pool or spa or the remodeling of an existing swimming pool or spa at a private single-family home, transfer of real property, the respective swimming pool or spa shall be equipped with at least two of the following seven drowning prevention safety features:**
- (1) An enclosure that meets the requirements of Section 115923 and isolates the swimming pool or spa from the private single-family home. 60" minimum & free of protrusions, cavities, or other physical characteristics that would serve as handholds or footholds that could enable a child to climb over. A maximum vertical clearance from the ground to the bottom of the enclosure of two inches. No gaps or voids that can allow passage of a sphere equal to or greater than four inches in diameter.**
 - (2) Removable mesh fencing that meets American Society for Testing and Materials (ASTM) Specifications F2286 standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device. 60" minimum.**
 - (3) An approved safety pool cover, as defined in subdivision (d) of Section 115921. Cover shall hold 275 lbs. or 485 lbs. (depending on its size). Cover shall drain all standing water on top of it within 30 min. Cover fastening mechanisms & perimeter deflection or opening between the cover edge and pool deck/coping shall meet ASTM standards.**
 - (4) Exit alarms on the private single-family home's doors that provide direct access to the swimming pool or spa. The exit alarm may cause either an alarm noise or a verbal warning, such as a repeating notification that "the door to the pool is open."**
 - (5) A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor on the private single-family home's doors providing direct access to the swimming pool or spa.**
 - (6) An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water. The alarm shall meet and be independently certified to the ASTM Standard F2208 "Standard Safety Specification for Residential Pool Alarms," which includes surface motion, pressure, sonar, laser, and infrared type alarms. NOTE: A swimming protection alarm feature designed for individual use, including an alarm attached to a child that sounds when the child exceeds a certain distance or becomes submerged in water, is not a qualifying drowning prevention safety feature.**
 - (7) Other means of protection, if the degree of protection afforded is equal to or greater than that afforded by any of the features set forth above and has been independently verified by an approved testing laboratory as meeting standards for those features established by the ASTM or the American Society of Mechanical Engineers (ASME).**

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SB 442

What does the bill do? SB 442 updates California's 1996 Pool Safety Act, to:

- Require that new pools, pools being repaired or retrofitted requiring a building permit must have two pool safety barriers installed, before the final building permit can be signed. The pool owners are provided a choice of seven types of safety barriers that work best for their pool location and situation. All of the seven allowed chooses must meet ASTM national safety standards. The list of seven safety options are: isolation fencing, with self closing latching gate; removable mesh fencing with self closing latching gate; pool cover; door to the pool alarm; self closing and latching door to the pool with latch 54" above the floor; in the pool alarm; or other technologies approved by ASTM as equivalent pool safety barrier.
- The door to the pool alarm under SB 442 will be allowed to be either a siren shrill noise or a verbal warning alarm ("Door to the Pool is open, Door to the pool is open,.....").
- **Pools associated with a home sale, must be inspected by an appropriate home inspector, and lack of compliance with the Pool Safety Act must be reported in the home sale defect report, along with other safety and structural issues such as working smoke alarms, water heater earthquake strap and other defects that are reported.**
- The bill also makes the Pool Safety Act uniform across the state.