**South Carolina General Assembly**

119th Session, 2011-2012

**H. 4739**

**STATUS INFORMATION**

General Bill

Sponsors: Reps. Henderson, Stavrinakis, Gilliard, Whipper and R.L. Brown

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Introduced in the House on February 7, 2012

Introduced in the Senate on April 3, 2012

Last Amended on March 29, 2012

Currently residing in the Senate Committee on **Medical Affairs**

Summary: Lifeguards at public swimming pools

**HISTORY OF LEGISLATIVE ACTIONS**

Date Body Action Description with journal page number

2/7/2012 House Introduced and read first time ([House Journal‑page 17](file:///h:\hj%20archive\2012\02-07-12.docx))

2/7/2012 House Referred to Committee on **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 17](file:///h:\hj%20archive\2012\02-07-12.docx))

3/21/2012 House Committee report: Favorable with amendment **Medical, Military, Public and Municipal Affairs** ([House Journal‑page 58](file:///h:\hj%20archive\2012\03-21-12.docx))

3/27/2012 House Member(s) request name added as sponsor: Gilliard

3/28/2012 House Member(s) request name added as sponsor: Whipper, R.L.Brown

3/28/2012 House Debate adjourned until Thur., 03‑29‑12 ([House Journal‑page 68](file:///h:\hj%20archive\2012\03-28-12.docx))

3/29/2012 House Amended ([House Journal‑page 46](file:///h:\hj%20archive\2012\03-29-12.docx))

3/29/2012 House Read second time ([House Journal‑page 46](file:///h:\hj%20archive\2012\03-29-12.docx))

3/29/2012 House Roll call Yeas‑88 Nays‑12 ([House Journal‑page 50](file:///h:\hj%20archive\2012\03-29-12.docx))

3/29/2012 House Unanimous consent for third reading on next legislative day ([House Journal‑page 51](file:///h:\hj%20archive\2012\03-29-12.docx))

3/30/2012 House Read third time and sent to Senate ([House Journal‑page 1](file:///h:\hj%20archive\2012\03-30-12.docx))

3/30/2012 Scrivener's error corrected

4/3/2012 Senate Introduced and read first time ([Senate Journal‑page 2](file:///h:\sj%20archive\2012\04-03-12.docx))

4/3/2012 Senate Referred to Committee on **Medical Affairs** ([Senate Journal‑page 2](file:///h:\sj%20archive\2012\04-03-12.docx))

**VERSIONS OF THIS BILL**

[2/7/2012](file:///p:\pprever\2011-12\4739_20120207.docx)

[3/21/2012](file:///p:\pprever\2011-12\4739_20120321.docx)

[3/29/2012](file:///p:\pprever\2011-12\4739_20120329.docx)

[3/30/2012](file:///p:\pprever\2011-12\4739_20120330.docx)

AMENDED

March 29, 2012

**H. 4739**

Introduced by Reps. Henderson, Stavrinakis, Gilliard, Whipper and R.L. Brown

S. Printed 3/29/12--H. [SEC 3/30/12 3:04 PM]

Read the first time February 7, 2012.

**A** **BILL**

TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, BY ADDING SECTION 44‑1‑157 SO AS TO SPECIFY THE NUMBER OF LIFEGUARDS, BASED ON THE SQUARE FOOTAGE AND NUMBER OF PATRONS, A PUBLIC SWIMMING POOL OPERATED BY THE STATE, OR A POLITICAL SUBDIVISION OF THE STATE, MUST HAVE AS A CONDITION OF OBTAINING AND MAINTAINING AN OPERATING PERMIT; AND TO EXCLUDE TYPE E FACILITIES FROM THESE REQUIREMENTS.

Amend Title To Conform

Be it enacted by the General Assembly of the State of South Carolina:

SECTION 1. Chapter 55, Title 44 of the 1976 Code is amended by adding:

“Section 44‑55-2390. (A) All Type A public swimming pools, as a condition of obtaining and maintaining an operating permit shall provide lifeguards, as defined in Regulation 61‑51, in accordance with the following:

(1) A public swimming pool of three thousand square feet or fewer must have:

(a) one lifeguard for one to twenty-five patrons;

(b) two lifeguards for twenty‑six through fifty patrons;

(c) three lifeguards for fifty‑one through one hundred fifty patrons;

(d) four lifeguards for one hundred fifty‑one through two hundred fifty patrons;

(e) one additional lifeguard for each one hundred patrons greater than two hundred fifty patrons.

(2) A public swimming pool of three thousand one square feet through six thousand square feet must have:

(a) two lifeguards for one to twenty-five patrons;

(b) three lifeguards for twenty‑six through fifty patrons;

(c) four lifeguards for fifty‑one through one hundred fifty patrons;

(d) five lifeguards for one hundred fifty‑one through two hundred fifty patrons;

(e) one additional lifeguard for each one hundred patrons greater than two hundred fifty patrons.

(3) A public swimming pool of six thousand one square feet through nine thousand square feet must have:

(a) two lifeguards for one to twenty-five patrons;

(b) three lifeguards for twenty‑six through fifty patrons;

(c) five lifeguards for fifty‑one through one hundred fifty patrons;

(d) six lifeguards for one hundred fifty‑one through two hundred fifty patrons;

(e) one additional lifeguard for each one hundred patrons greater than two hundred fifty patrons.

(4) A public swimming pool of greater than nine thousand square feet must have:

(a) three lifeguards for one to twenty-five patrons;

(b) four lifeguards for twenty‑six through fifty patrons;

(c) six lifeguards for fifty‑one through one hundred fifty patrons;

(d) seven lifeguards for one hundred fifty‑one through two hundred fifty patrons;

(e) one additional lifeguard for each one hundred patrons greater than two hundred fifty patrons.

(B) A public swimming pool required to have only one lifeguard shall, at all times, have at least one additional pool staff employee present and available to make an emergency call if necessary.

(C) All Type E public swimming pools, as defined in Regulation 61‑51, shall submit to the Department of Health and Environmental Control a lifeguard coverage plan. Upon approval by the Department of Health and Environmental Control, Type E public swimming pools must provide lifeguards in accordance with their approved plan.

(D) Any request for a variance from these provisions must be made in writing and must include a site‑specific evaluation that demonstrates proof of equivalency with these provisions. The Department of Health and Environmental Control will consider the variance request and will provide written notice of its decision.”

SECTION 2. This act takes effect upon the approval by the Governor.

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