

1 AN ACT relating to swimming pools.

2 *Be it enacted by the General Assembly of the Commonwealth of Kentucky:*

3 ➔SECTION 1. A NEW SECTION OF KRS CHAPTER 198B IS CREATED TO
4 READ AS FOLLOWS:

5 (1) As used in this section:

6 (a) "Approved safety pool cover" means a manually-operated or power-
7 operated safety pool cover that meets all ASTM International performance
8 standards;

9 (b) "Barrier or enclosure" means a fence, wall, or any combination thereof,
10 that surrounds a swimming pool completely and obstructs access to the
11 swimming pool from the area outside the barrier or enclosure;

12 (c) "Local government" means a city, county, charter county government,
13 urban-county government, consolidated local government, or unified local
14 government; and

15 (d) "Swimming pool":

16 1. Means any structure intended for swimming or recreational bathing
17 that contains water over twenty-four (24) inches deep; and

18 2. Includes but is not limited to in-ground pools, hot tubs, spas, and
19 fixed-in-place wading pools.

20 (2) The department shall allow a private swimming pool to be constructed without a
21 barrier or enclosure if the swimming pool will be equipped with an approved
22 safety pool cover.

23 (3) The department shall incorporate the provisions of this section into the Kentucky
24 Building Code by administrative regulations promulgated in accordance with
25 KRS Chapter 13A.

26 (4) The legislative body of a local government may, by ordinance, adopt more
27 stringent requirements to govern approved safety pool covers and barriers or

1 *enclosures than those specified in subsection (2) of this section.*