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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

**S.B. 309**  
**133<sup>rd</sup> General Assembly**

## **Fiscal Note & Local Impact Statement**

[Click here for S.B. 309's Bill Analysis](#)

**Version:** As Passed by the Senate

**Primary Sponsor:** Sen. Gavarone

**Local Impact Statement Procedure Required:** No

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### **Highlights**

- The bill may result in a lower number of public swimming pool license applications and associated fee revenue for local boards of health and the Ohio Department of Health; however, costs to inspect or regulate would also decrease accordingly.

### **Detailed Analysis**

#### **Private swimming pool classes**

The bill allows a resident of a dwelling with a private residential swimming pool to allow paid, certified swimming classes at the pool without obtaining a public swimming pool license from the board of health or the Ohio Department of Health (ODH) provided that both of the following apply: (1) the resident is a certified swimming instructor and is conducting the certified swimming class on a one-on-one basis, and (2) no more than four individuals are in the pool at the same time during the class. The bill restricts the certified swimming classes to any of the following: (1) Infant Swimming Resource classes, (2) American Red Cross swimming classes, swimming lessons, or learn-to-swim classes, and (3) any other swimming class certified by a nationally accredited organization that operates in all 50 states. Additionally, the bill specifies that it is not the intent of the General Assembly that any provision in the bill be interpreted as either limiting or restricting an insurer's ability to exclude insurance coverage from any insurance policy, underwrite any insurance policy, or create, imply, or otherwise grant insurance coverage not found in a policy of insurance. The bill also declares an emergency.

#### **Fiscal impact**

The bill may result in a lower number of public swimming pool license applications and associated fee revenue for local boards of health and ODH; however, costs to inspect or regulate would also decrease. Under current law, a board of health issues licenses for public swimming pools in most instances. However, ODH issues the licenses in instances in which a

board is not authorized to do so. Local boards of health are permitted to charge annual public pool licensing and inspection fees that are not to exceed the cost to license or inspect, in addition to an \$80 fee that is transmitted to ODH. Fees charged by boards of health are deposited in each health district's swimming pool fund, while fees transmitted to or charged by ODH are deposited into the General Operations Fund (Fund 4700). The overall impact will depend on the number of residential swimming pool owners that apply for public swimming pool licenses, but is anticipated to be minimal. Due to the bill's emergency clause, any fiscal impacts could be realized immediately upon enactment.