



Ohio Legislative Service Commission

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Fiscal Note & Local Impact Statement

Bill: [H.B. 416 of the 129th G.A.](#)

Date: March 13, 2012

Status: As Introduced

Sponsor: Rep. Blair

Local Impact Statement Procedure Required: No

Contents: To make changes to the law regarding public pools, spas, and special use pools

State Fiscal Highlights

- The Ohio Department of Health (ODH) may incur costs associated with the creation and administration of seasonal licenses if ODH is acting as a licensor. The costs could be offset through licensure fees.
- ODH may incur costs to establish standards for certification courses and to issue certification. Costs could be offset through certification fees.
- The bill permits ODH to offer certification courses if ODH is acting as the licensor. Administrative costs associated with the course could be offset with attendance fees.
- It is unknown if the licensing fee for a seasonal pool or spa will differ from the fee for the current annual license. If the seasonal licensing fee is less, then public swimming pool operators such as state parks that choose such a license could experience a decrease in licensing costs.
- If a public swimming pool operator such as a state park is required to complete a training course, the public swimming pool operator could incur an attendance fee from the licensor and a certification fee from ODH.

Local Fiscal Highlights

- Local boards of health that are licensors may incur costs associated with the creation and administration of seasonal licenses. Costs could be offset through licensure fees.
- The bill permits local boards of health that are licensors to offer certification courses. Administrative costs associated with the course could be offset with attendance fees.
- It is unknown if the licensing fee for a seasonal pool or spa will differ from the fee for the current annual license. If the seasonal licensing fee is less, then public swimming pool operators such as municipalities and school districts that choose such a license could experience a decrease in licensing costs.
- If a public swimming pool operator such as a municipality or school district is required to complete a training course, the public swimming pool operator could incur an attendance fee from the licensor and a certification fee from ODH.

Detailed Fiscal Analysis

Licensure

The bill establishes a license category for public swimming pools, public spas, and special use pools that are seasonal, which are currently licensed in the same manner as nonseasonal pools and spas. A seasonal pool or spa is one that is operated for no more than six months of the 12-month licensing period for pools and spas. As under current law, an application must be submitted to the licensor for pools and spas in that jurisdiction. A licensor is either (1) the board of health of a city or general health district or (2) the Director of Health when the board has not been approved by the Director to serve as the licensor. The bill allows licensors to establish license issuance and renewal fees such that fees collected may cover but not exceed the costs of licensing and inspecting public pools. Therefore, costs increases or revenue loss resulting from the creation of seasonal licenses under the bill could be offset by licensors adjusting license fees. Current license fees consist of a state portion (\$80 as of April 1, 2012) and a local portion established by the licensor. Local health district web sites show that local license fees vary from district to district, ranging from about \$200 to over \$400.

Public swimming pool operators include municipalities, school districts, and state parks. It is unknown if the licensing fee for a seasonal pool or spa will differ from the fee for the current annual license. If the licensing fee for a seasonal pool or spa is less, then municipalities, school districts, and state parks would experience a decrease in licensing costs.

Certification for completion of a training course

Under the bill, a licensor may require certification through completion of a training course in pool operation for certain public swimming pool operators. Licensors who offer training courses may establish a fee for course attendance, if the course is approved by the Director of Health. This fee is in addition to the licensing and inspection fees that a licensor is permitted to establish under current law. If a public swimming pool operator such as a municipality, school district, or state park is required to complete a training course, the public swimming pool operator could incur an attendance fee from the licensor and a certification fee from ODH. Lastly, ODH may incur costs to establish standards for certification courses and issue certification to operators who complete a training course.

Though not currently required, courses in pool operation are offered throughout Ohio. For example, Columbus Public Health offers pool operation courses for free, according to its web site. Additionally, a course entitled Certified Pool Operator (CPO)

developed by the National Swimming Pool Foundation is offered by the University of Akron, and by two private consulting organizations, The Ohio Aquatics Council Ltd. and Pool Operation Management, at locations across the state. Attendance fees at CPO courses range between \$200 at the University of Akron to \$310-\$340 when presented by the consulting organizations.

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