

1.1 moves to amend H.F. No. 4712 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. Minnesota Statutes 2024, section 144.1222, is amended by adding a subdivision
1.4 to read:

1.5 Subd. 2e. Private residential pool used for certified swimming classes. Notwithstanding
1.6 Minnesota Rules, part 4717.0250, subpart 7, a private residential pool may be used as part
1.7 of a business if the private residential pool is used by a paying guest of the homeowner and
1.8 the guest is participating in a certified swimming class conducted by the homeowner,
1.9 provided that:

1.10 (1) the homeowner is a certified swimming instructor and is conducting a certified
1.11 swimming class on a one-on-one basis;

1.12 (2) not more than four individuals are in the pool at the same time during the class;

1.13 (3) prior to each new paying guest beginning participation in a certified swimming class:

1.14 (i) the guest, or the guest's parent or legal guardian if the guest is a minor, provides
1.15 written consent to use of the pool. The written consent must include a statement that the
1.16 guest, or the guest's parent or legal guardian if the guest is a minor, has received and read
1.17 materials provided by the Department of Health with information on the risk of disease
1.18 transmission and other risks associated with pools; and a statement that the Department of
1.19 Health does not monitor or inspect the homeowner's pool to ensure compliance with the
1.20 requirements in section 144.1222 or Minnesota Rules, chapter 4717; and

1.21 (ii) the homeowner tests the pool's water for the concentration of chlorine or bromine,
1.22 pH, and alkalinity, and the water in the pool meets the requirements for disinfection residual,
1.23 pH, and alkalinity in Minnesota Rules, part 4717.1750, subparts 4, 5, and 6; and

2.1 (4) the following notice is conspicuously posted at the pool and, prior to each new paying
2.2 guest beginning participation in a certified swimming class, is provided to the guest or to
2.3 the guest's parent or legal guardian if the guest is a minor:

2.4 "NOTICE

2.5 This pool is exempt from state and local anti-entrapment and sanitary requirements that
2.6 prevent waterborne diseases such as Legionnaires' disease, Pseudomonas folliculitis (hot
2.7 tub rash), and chemical burns and is not subject to inspection.

2.8 USE AT YOUR OWN RISK"

2.9 Sec. 2. Minnesota Statutes 2024, section 144.1222, subdivision 4, is amended to read:

2.10 Subd. 4. **Definitions.** (a) For purposes of this section, the following terms have the
2.11 meanings given them.

2.12 (b) "ASME/ANSI standard" means a safety standard accredited by the American National
2.13 Standards Institute and published by the American Society of Mechanical Engineers.

2.14 (c) "ASTM standard" means a safety standard issued by ASTM International, formerly
2.15 known as the American Society for Testing and Materials.

2.16 (d) "Public pool" means any pool other than a private residential pool, that is: (1) open
2.17 to the public generally, whether for a fee or free of charge; (2) open exclusively to members
2.18 of an organization and their guests; (3) open to residents of a multiunit apartment building,
2.19 apartment complex, residential real estate development, or other multifamily residential
2.20 area; (4) open to patrons of a hotel or lodging or other public accommodation facility; or
2.21 (5) operated by a person in a park, school, licensed child care facility, group home, motel,
2.22 camp, resort, club, condominium, manufactured home park, or political subdivision with
2.23 the exception of swimming pools at family day care homes licensed under section 142B.41,
2.24 subdivision 9, paragraph (a).

2.25 (e) "Unblockable suction outlet or drain" means a drain of any size and shape that a
2.26 human body cannot sufficiently block to create a suction entrapment hazard and meets
2.27 ASME/ANSI standards.

2.28 (f) "Certified swimming class" means an infant swimming resource (ISR) class; an
2.29 American Red Cross swimming class, swimming lesson, or learn-to-swim class; or any
2.30 other swimming class certified by a nationally accredited organization that operates in all
2.31 50 states.

- 3.1 (g) "Certified swimming instructor" means a certified ISR instructor; a certified American
- 3.2 Red Cross swimming instructor or swim coach; or any other swimming instructor certified
- 3.3 by a nationally accredited organization that operates in all 50 states."
- 3.4 Amend the title accordingly