

# HOUSE BILL 1374

E4, L6

9lr2933

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By: **Delegate Mautz**

Introduced and read first time: February 20, 2019

Assigned to: Rules and Executive Nominations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Splash Pads – Lifeguards**

3 FOR the purpose of prohibiting the State or the governing body of a county from requiring  
4 a lifeguard to be present at a splash pad when the splash pad is in use; and generally  
5 relating to splash pads.

6 BY transferring

7 Article – Local Government

8 Section 13–411

9 Annotated Code of Maryland

10 (2013 Volume and 2018 Supplement)

11 to be

12 Article – Public Safety

13 Section 1–601

14 Annotated Code of Maryland

15 (2018 Replacement Volume)

16 BY repealing and reenacting, with amendments,

17 Article – Public Safety

18 Section 1–601 to be under the new subtitle “Subtitle 6. Miscellaneous”

19 Annotated Code of Maryland

20 (2018 Replacement Volume)

21 (As enacted by Section 1 of this Act)

22 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
23 That Section(s) 13–411 of Article – Local Government of the Annotated Code of Maryland  
24 be transferred to be Section(s) 1–601 of Article – Public Safety of the Annotated Code of  
25 Maryland.

26 SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read  
27 as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



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**Article – Public Safety**

**SUBTITLE 6. MISCELLANEOUS.**

1–601.

(a) In this section, “splash pad” means an outdoor play area:

(1) with sprinklers, fountains, nozzles, or other devices or structures that spray water;

(2) in which water is not allowed to accumulate; and

(3) that is not used for submersion of the human body.

(b) The governing body of a county may adopt and enforce rules and regulations to govern the sanitary condition of splash pads and any sanitary feature connected to a splash pad.

**(C) THE STATE OR THE GOVERNING BODY OF A COUNTY MAY NOT REQUIRE A LIFEGUARD TO BE PRESENT AT A SPLASH PAD WHEN THE SPLASH PAD IS IN USE.**

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2019.