

INITIAL RULE IMPACT STATEMENT

TITLE 310. OKLAHOMA STATE DEPARTMENT OF HEALTH CHAPTER 321. PUBLIC BATHING PLACE FACILITY STANDARDS AND OPERATIONS

1. **DESCRIPTION:**

Chapter 321 will be the centralized location for all pool and spa regulation including fees, facility standards, pool and spa construction requirements, and operational standards. Chapter 321 will align with 63 O.S. § 1-1022, new statute effective 11-1-24, prompted by HB4035 of the 2024 legislative session. This includes the new statutory requirement regarding alignment with the International Swimming Pool and Spa Code (ISPSC).

2. **DESCRIPTION OF PERSONS AFFECTED AND COST IMPACT RESPONSE:**

Individuals and entities applying for a permit to construct or operate a public swimming pool or spa will be affected. There are no anticipated cost impacts related to the rule change.

3. **DESCRIPTION OF PERSONS BENEFITING, VALUE OF BENEFIT AND EXPECTED HEALTH OUTCOMES:**

Persons who construct or operate a public swimming pool or spa are expected to benefit from the modernization and alignment of rule and statute. One centralized rule chapter for all public pool and spa regulation is expected to help regulated entities better understand regulatory obligations. The Department expects for this to result in a reduced risk of illness, injury, disability, and death associated with unsafe conditions in public swimming pools and spas. of illness, injury, disability, and death associated with unsafe conditions in public pools.

4. **ECONOMIC IMPACT, COST OF COMPLIANCE AND FEE CHANGES:**

There are no fee increases or changes in the cost of compliance. The Department does not expect any economic impact to the public or to those seeking a permit for a public pool.

5. **COST AND BENEFITS OF IMPLEMENTATION AND ENFORCEMENT TO THE AGENCY:**

There are no anticipated costs associated with the implementation or enforcement of this rule change. The benefit of implementation and enforcement is modernized regulation that preserves public health and safety while allowing for new construction and operation methods.

6. **IMPACT ON POLITICAL SUBDIVISIONS:**

There are no anticipated impacts on political subdivisions and it will not require their cooperation in implementing or enforcing the proposed amendment.

7. **ADVERSE EFFECT ON SMALL BUSINESS:**

There are no anticipated adverse effects on small business.

8. EFFORTS TO MINIMIZE COSTS OF RULE:

No less costly means have been identified.

9. EFFECT ON PUBLIC HEALTH AND SAFETY:

The Department believes that over time the comprehensive and modernized rules will benefit public health and safety.

10. DETRIMENTAL EFFECTS ON PUBLIC HEALTH AND SAFETY WITHOUT ADOPTION:

Without adoption, there will be a conflict between statute and rule. This will cause confusion to regulated entities and may therefore put public health and safety at risk.

11. PREPARATION AND MODIFICATION DATES:

This rule impact statement was prepared on August 5, 2025