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April 9, 2021

The Honorable Josh Newman
California State Senate
State Capitol Building, Room 4066
Sacramento, CA 95814

**RE: SB 736 (Newman) – OPPOSE
As Introduced February 19, 2021**

Dear Senator Newman,

California Building Officials (CALBO) must respectfully **OPPOSE** SB 736 as introduced on February 19, 2021. This bill would require local building officials by January 1, 2024, to complete mandatory training on drowning prevention every three years to maintain certification as a building official. Additionally, this bill would encourage the use of an isolation fence or removable isolation mesh fencing as specified, as the most effective drowning prevention safety feature.

As background, CALBO members are primarily responsible for enforcing building code requirements in an estimated 95% of the buildings constructed in California. Our mission is to promote public health and safety in building construction through responsible legislation, education, and building code development. We ensure that proper public health and structural safety requirements, codes, and standards are adhered to within the built environment. We protect the citizens and the overall safety of the public.

As you know, current law under the *Swimming Pool Safety Act of 1996* requires all new swimming pools constructed at single-family homes to be equipped with drowning prevention devices when seeking approval for a building permit. In addition, your own SB 442 (2017) updated the law and requires homeowners to have a minimum of two of the seven drowning prevention safety devices approved by the American Society for Testing and Materials for the construction of a new swimming pool or spa or the remodeling of an existing pool or spa. CALBO has worked hard at the local level to ensure compliance with these measures understanding their life-safety merits.

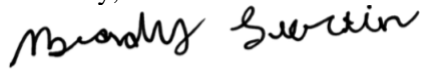
CALBO recognizes the devastating impact drownings have upon families across the United States and commends legislative leadership for addressing the problem. Historically, CALBO has worked closely with our partners to create awareness of the safety hazards with private pools and spas. Local building officials have a deep commitment to the safety of the public and their families, as a result, they hold

homeowners to the highest of standards as required by law when issuing final permits for the construction or remodeling of pools and spas. CALBO supports solutions to promote greater security for private pools and has been heavily involved in these conversations in the past and will continue to do so for the future.

With that being said, CALBO is founded upon the principle that local California governments must have the ability to make changes and implement training programs at the local level. SB 736 would set new training requirements for local building officials while providing an unfunded mandate to accomplish these goals. Further, we do not see the concern with drowning prevention devices and an understanding of their merits upon local building officials. Rather, when we leave a residence or job site, we are not able to enforce changes homeowners may make in our absences. Mandating continuing education upon our industry is not the answer to increased drowning prevention.

For these reasons, CALBO must respectfully **OPPOSE** SB 736. CALBO looks forward to a continued partnership with state legislators to confront drowning prevention in practical and prudent manners. However, unfunded and unwarranted mandates upon local government will not successfully meet our shared goals and intentions. Should you have any questions, please do not hesitate to reach out to me at (916) 208-2582.

Sincerely,

A handwritten signature in black ink that reads "Brady Guertin". The signature is written in a cursive, slightly slanted style.

Brady Guertin
Public Affairs Manager