PHTA 2020 Legislative Recap: UTAH

Utah adjourned its regular session on March 12. A special session was called on April 16 and adjourned on April 23 due to the COVID-19 Pandemic. During the past legislative session, PHTA was monitoring several industry-related measures in Utah. We have provided a summary and breakdown of the bills that impact you:

**HB 29 - Public/Private Swimming Pool/Spa Designers and Builders: Adoption of the 2018 International Swimming Pool and Spa Code (ISPSC):** This measure includes a swimming pool and spa code under the definition of "construction code" in the State Construction and Fire Codes Act. The measure also adds the residential provisions of the 2018 edition of the International Swimming Pool and Spa Code (ISPSC) to Statewide Amendments Incorporated as Part of State Construction Code and Local Amendments Incorporated as Part of State Construction Code. PHTA assisted the ICC-led advocacy efforts to include the 2018 ISPSC in this bill.

This measure requires that, per the 2018 version of the International Building Code (IBC), the design and construction of swimming pools, spas, and hot tubs must comply with Utah Administrative Code R392-302 titled "Design, Construction and Operation of Public Pools."

The measure requires that, per the 2015 version of the International Residential Code, the design and construction of pools and spas must comply with residential provisions of the International Swimming Pool and Spa Code. This measure also makes statewide amendments to the International Swimming Pool and Spa Code by defining "private residential swimming pool" as a swimming pool, spa pool, or wading pool used only by an individual, family, or living unit members and guests, but not serving any type of multiple unit housing complex of four or more living units.

This measure was enacted by the legislature without the Governor's signature. Measures enacted by the Utah Legislature generally become effective 60 days following adjournment, which is May 12, 2020. However, due to COVID-19, this date is likely to change.

**HB 374 - Those Working with Natural Gas-Fired Water Heaters:** This measure alters provisions related to certain building design elements in a proposed general plan and amends Nitrogen Oxide emission limits for natural gas-fired water heaters.

This measure invites the Utah League of Cities and Towns to submit a report to the Business and Labor Interim Committee and allows a local planning commission to recommend the reduction of certain building design elements in a proposed general plan. The measure allows a local planning commission to recommend the reduction of certain building design elements in a proposed general plan. This measure also allows a person to sell or install a natural gas-fired water heater with an
emission rate greater than certain limits established if the water heater is replacing a water heater of equal BTUs per hour, there is not available for purchase in the United States a water heater that has an input of equal BTUs per hour as the water heater being replaced and meets the required limits, and the purpose of the water heater is to heat water and provide space heating.

This measure was signed by Governor Gary Herbert (R) on March 24. The provisions regarding natural gas-fired water heaters go into effect July 1, 2020.

**HB 415 - Those Working with Natural Gas-Fired Water Heaters: Failed** House Bill 415 would have amended Nitrogen Oxide emission limits for natural gas-fired water heaters. This measure allows a person to sell or install a natural gas-fired water heater with an emission rate greater than established limits if the water heater is replacing a water heater of equal BTUs per hour, there is not available for purchase in the United States a water heater that has an input of equal BTUs per hour as the water heater being replaced and meets the limits established, or the purpose of the water heater is to heat water and provide space heating.

Utah’s 2020 Legislative Session adjourned March 12. Utah does not employ carryover from year to year. To be reconsidered in the Legislature, this measure must be re-introduced during the 2021 Legislative Session.