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# 15 U.S. Code § 8005

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## Minimum State law requirements

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### **(a) In general**

#### **(1) Safety standards**

A State meets the minimum State law requirements of this section if—

(A) the State requires by statute—

- (i) the enclosure of all outdoor residential pools and spas by barriers to entry that will effectively prevent small children from gaining unsupervised and unfettered access to the pool or spa; and
- (ii) that pools and spas built more than 1 year after the date of the enactment of such statute have—
  - (I) more than 1 drain;
  - (II) 1 or more unblockable drains; or
  - (III) no main drain; and

(B) the State meets such additional State law requirements for pools and spas as the Commission may establish after public notice and a 30-day public comment period.

#### **(2) Use of minimum State law requirements**

The Commission—

(A) shall use the minimum State law requirements under paragraph (1) solely for the purpose of determining the eligibility of a covered entity for a grant under section 8004 of this title; and

(B) may not enforce any requirement under paragraph (1) except for the purpose of determining the eligibility of a covered entity for a grant under section 8004 of this title.

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