

Date of Hearing: April 14, 2026

ASSEMBLY COMMITTEE ON HEALTH
Mia Bonta, Chair
AB 2330 (Boerner) – As Amended April 6, 2026

SUBJECT: Public health: cold spas and cold plunge tubs.

SUMMARY: Establishes a regulatory framework for cold spas and cold plunge tubs. Specifically, **this bill:**

- 1) Defines “cold plunge tub” to mean any aboveground, individual use therapeutic tub that meets all of the following:
 - a) Designed and used solely for brief therapeutic or recovery immersion in water;
 - b) Maintained at temperatures between 35 degrees Fahrenheit and 60 degrees Fahrenheit by use of a mechanical chiller;
 - c) Has mechanical recirculation;
 - d) Has an automatic disinfecting system dispensing chlorine or bromine, which could also include the use of ozone or ultraviolet (UV) as a secondary disinfection option;
 - e) Is not used for swimming or general recreational bathing; and,
 - f) Is drained at the end of each operating day and filled at the start of the next operating day.
- 2) Prohibits cold plunge tubs from being placed or used within the same enclosure as a public pool or spa.
- 3) Requires cold plunge tubs to have signage posted in a visible area on the tub with a minimum of one-inch letters in contrasting colors indicating the following: “This Cold Plunge Tub is not under health regulation as a public swimming pool, use at your own risk.”
- 4) Specifies that cold plunge tubs are not considered public swimming pools and are not subject to any construction or sanitation standards as set forth in existing law and regulations governing public swimming pools.
- 5) Defines “cold spa” to mean any in-ground public swimming pool that is designed and used for brief therapeutic or recovery immersion in water that is maintained at temperatures between 35 degrees Fahrenheit and 60 degrees Fahrenheit by use of a mechanical chiller, or other approved method to chill the water, and can support multiple users at one time.
- 6) Makes cold spas subject to all applicable requirements related to the construction and operation of a spa or spa pool as prescribed in existing law 16), 17) and 20) below, except for the requirement that the spa or spa pool must incorporate a water jet system, an aeration system, or a combination of the two systems used in conjunction with heated water, and instead must operate with the use of a chiller, or other approved method, to maintain proper water temperature.

EXISTING LAW:

- 1) Establishes the Department of Public Health (DPH), which among other things, regulates safe recreational water use and supervises the sanitation, healthfulness, and safety of public swimming pools. [Health and Safety Code (HSC) § 115825, *et seq.*]
- 2) Defines “swimming pool” or “pool” to mean any structure intended for swimming or recreational bathing that contains water over 18 inches deep. Specifies that “swimming pool” includes in-ground and aboveground structures and includes, but is not limited to, hot tubs, spas, portable spas, and nonportable wading pools. [HSC § 115921]
- 3) Defines “public swimming pool” to mean a swimming pool operated for the use of the general public with or without charge, or for the use of the members and guests of a private club. Excludes from this definition a swimming pool located on the grounds of a private single-family home. [*Ibid.*]
- 4) Requires whenever a building permit is issued for the construction of a new swimming pool or spa, the pool or spa to meet specified requirements, including being equipped with suction outlets equipped to provide circulation throughout the pool or spa, covered with antientrapment grates. [HSC §115928]
- 5) Requires every person proposing to construct a public swimming pool to file a copy of the plans prior to construction, with the local health officer having jurisdiction for approval. [HSC § 116038]
- 6) Requires every public swimming pool, including swimming pool structure, appurtenances, operation, source of water supply, amount and quality of water recirculated and in the pool, method of water purification, lifesaving apparatus, measures to insure safety of bathers, and measures to insure personal cleanliness of bathers to be such that the public swimming pool is at all times sanitary, healthful and safe. [HSC § 116038]
- 7) Requires lifeguard service to be provided for any public swimming pool that is of wholly artificial construction and for the use of which a direct fee is charged. For all other public swimming pools, requires lifeguard service to be provided or requires signs to be erected clearly indicating that the service is not provided. [HSC § 116045]
- 8) Requires every public swimming pool that is required to provide lifeguard services and that charges a direct fee to provide on its premises an Automated External Defibrillator (AED) unit. Requires the AED unit to be readily available during pool operations. [*Ibid.*]
- 9) Requires the design and installation of all underwater lighting systems, operating at more than 15 volts, supplied from a branch circuit either directly or by way of a transformer, to be installed in a public swimming pool so that there is no shock hazard with any likely combination of fault conditions during normal use and comply with the following:
 - a) Requires an approved ground-fault circuit interrupter to be installed in the branch circuit that supplies all fixtures operating at more than 15 volts; and,

- b) Requires only approved underwater lighting fixtures to be used. Prohibits lighting fixtures to be installed for operations at more than 150 volts between conductors. [HSC § 116049.1.]
- 10) Requires the owner or operator of a public swimming pool to comply with both of the following:
- a) Obtain an inspection of its public swimming pool by the local health officer or a qualified contractor; and,
 - b) Certify to the local health officer that the public swimming pool facility is in compliance 4) above. [*Ibid.*]
- 11) Requires DPH to make and enforce regulations pertaining to public swimming pools as it deems proper and to enforce building standards published in the State Building Standards Code relating to public swimming pools, as specified. [HSC § 116050]
- 12) Requires every health officer to enforce the building standards published in the State Building Standards Code relating to swimming pools and the other regulations adopted by DPH in their jurisdiction. [HSC § 116053]
- 13) Makes every person who violates any provision of specified swimming pool sanitation and safety requirements, building standards published in the State Building Standards Code relating to swimming pools, or DPH's swimming pool regulations, guilty of a misdemeanor, punishable by a fine of not less than fifty dollars (\$50) nor more than one thousand dollars (\$1,000), or by imprisonment for not more than six months, or both. [HSC § 116065]
- 14) Establishes requirements for wave pools, including:
- a) A wave pool operator to offer United States Coast Guard-approved Type II or Type III life vests to nonswimmers (persons who cannot swim or are weak, inexperienced swimmers) and children under 48 inches;
 - b) Nonswimmers and children under 48 inches to wear United States Coast Guard-approved Type II or Type III life vests;
 - c) A warning for impending waves in cases where wave action is suspended for any reason;
 - d) Signage indicating the requirements of a) b) and c) at the ticket booth or entrance of facility where the wave pool is located;
 - e) Lifeguards to guard a pool;
 - f) Emergency stop for the wave equipment; and,
 - g) The wave pool operator to ensure the wave pool has regular periods without breaking waves, as specified. [HSC § 115950, *et seq.*]
- 15) Establishes DPH's regulations for public swimming pools. Defines in regulation "spa" to mean a public pool that incorporates a water jet system, an aeration system, or a combination

of the two systems used in conjunction with heated water. [Title 22, California Code of Regulations (CCR) § 65501, *et seq.*]

- 16) Requires in regulation, except after seasonal closures, the enforcing agent to give written approval before a public pool is authorized to be placed in operation. [Title 22, CCR § 65511]
- 17) Establishes various requirements related to operation procedures records, recirculation and water treatment systems, water clarity, quality, cleanliness, maintenance, swim apparel furnished by the pool operator, lifeguard services, safety and first aid, health of employees and public pool users, incident response, compressed chlorine gas safety, and cleaning of ancillary facilities (e.g. restrooms and dressing rooms) under the supervision of a pool operator. [Title 22, CCR § 65521, *et seq.*]
- 18) Establishes within the Building Standards Code requirements for the construction, installation, and use of any public pool and its ancillary facilities. Requires a person proposing to construct, renovate or alter a pool, ancillary facilities, or equipment and appurtenances to submit plans and specifications detailing compliance with the Building Standards Code to the enforcing agent for review and written approval prior to commencing construction. Requires the plan to first be cleared by the enforcing agent before substitution if not an exact duplicate of the units being changed or replaced. Prohibits a local building department from issuing a permit for the public pool or ancillary facility until the plans have been approved by the enforcing agent. Requires construction, renovation and alterations to be in compliance with the plan submitted. Establishes specified requirements on several topics, including, among others: pool construction; pool geometry; permanent markings; steps, recessed steps, ladders and stairs; handholds; diving boards and platforms; pool decks; pool lighting; signage; ancillary facilities, as specified. [Title 24, CCR, Chapter 31B § 3130B, *et seq.*]
- 19) Establishes special requirements for spa pools, including requiring: the aeration system to be separate from the recirculation system, requiring the maximum operating temperature to be no more than 104F, establishing a maximum water surface area of 250 feet, establishing a maximum water depth of four feet, and requiring a clearly labeled emergency shut off switch for the control of both the recirculation system and the aeration or jet system to be installed adjacent to the spa pool. [Title 24, CCR, Chapter 31B § 3138B]

FISCAL EFFECT: Unknown. This bill has not been analyzed by a fiscal committee.

COMMENTS:

- 1) **PURPOSE OF THIS BILL.** According to the author, this bill would create a distinct regulatory category for cold spas. The author states that restorative cold-water immersion has become a cornerstone of athletic recovery and holistic wellness for many in our state. The author continues that the current opaque nature of regulation regarding cold plunges means spas might unintentionally be exposing their clients to unsafe environments. The author states that this bill would establish a formal legal definition for cold plunges and baths, effectively distinguishing them from recreational swimming pools and hot tubs. The author concludes that this bill would help create a predictable business environment for wellness providers and ensure that all California consumers are protected by consistent health and safety standards.

- 2) **BACKGROUND.** Cold water immersion, typically maintained between 39 degrees Fahrenheit and 50 degrees Fahrenheit, has become a popular activity to support athletic recovery and holistic wellness.

Research on the impact of cold water immersion is emerging. According to a 2022 literature review published in the *International Journal of Circumpolar Health* titled “Health effects of voluntary exposure to cold water – a continuing subject of debate,” ice bathing has been suggested to have many health benefits. It has been claimed that it can boost the immune system, treat depression, enhance peripheral circulation, increase libido, burn calories and reduce stress. The literature review states that many of the proclaimed health benefits are based on subjective claims and anecdotal cases. A 2008 study published in the *Scandinavian Journal of Clinical and Laboratory Investigation* titled “Effects of long-term whole-body cold exposures on plasma concentrations of ACTH, beta-endorphin, cortisol, catecholamines and cytokines in healthy females,” suggested that regular cold exposure can be effective in treatment of chronic autoimmune inflammation and have a positive effect on stress regulation. Further, a 2015 study titled “Brown fat activation reduces hypercholesterolaemia and protects from atherosclerosis development” published in *Nature Communications* suggested that cold exposure brown adipose tissue activation which is linked to a reduction in obesity. The 2022 literature review states that many of the health benefits claimed from regular cold-water exposure may not be causal and may, instead, be explained by other factors, including, among others an active lifestyle, social interactions, and healthy food.

According to a 2021 meta-analysis published in *Frontiers in Physiology* titled, “Effects of cold water immersion after exercise on fatigue recovery and exercise performance: a meta-analysis,” cold water immersion is very popular as a method reducing post-exercise muscle stiffness, eliminating fatigue, decreasing exercise-induced muscle damage (EIMD), and recovering sports performance. The meta-analysis reviewed a total of 20 studies from 2002 and 2022 to examine the effect on cold water immersion on fatigue and recovery after high-intensity exercise and performance and stated that pooled data showed that cold water immersion resulted in a significant decline of delayed-onset muscle soreness.

Cold water therapy is not without risks. According to a 2022 article published by the American Heart Association (AHA) titled, “You’re not a polar bear: The plunge into cold water comes with risks,” plunging the body into cold water triggers a sudden, rapid increase in breathing, heart rate and blood pressure known as the cold shock response. That can cause a person to drown within seconds if they involuntarily gasp while their head is submerged. The shock also places stress on the heart and makes it work harder. Within minutes, the loss of heat begins causing other problems. Blood rushes away from the extremities to the body's core to protect vital organs, leaving the arms and legs without good circulation, which can lead to a loss of strength and coordination. The rapid loss of heat also can lead to hypothermia, making it harder to think clearly or move well. Being immersed in cold water triggers hypothermia faster than just being out in the cold, because water takes heat away from the body 25 times faster than air. AHA states that some studies suggests that people who adapt to cold water immersion through routine ice bathing or winter swimming may reduce inflammation and other cardiovascular risks, others have found evidence of higher levels of troponin (a protein found in heart muscle cells) in people who compete in winter swims, suggesting that prolonged cold water immersion could lead to heart muscle damage.

This bill establishes a definition and regulatory framework for cold plunges and cold spas, including requirements to promote cleanliness, safety, and awareness of the risks associated with cold plunges.

3) SUPPORT. The Health & Fitness Association (HFA) is the sponsor of this bill. HFA states that California currently lacks a specific regulatory framework for cold water immersion facilities. HFA continues that by default, these facilities are often subjected to the same rigorous regulations as large-scale swimming pools. AB 2330 addresses this gap by creating two distinct categories: cold plunge tubs—aboveground, individual-use units that are exempt from public pool construction and sanitation standards provided they meet specific operational requirements—and cold spas, which are in-ground, multi-user facilities subject to modified spa standards tailored to their unique cold-water operation. This tiered approach ensures that regulatory requirements are appropriately calibrated to the actual risk profile of each facility type. HFA states that without this much needed addition to state health and safety code, businesses face a "regulatory grey space" characterized by inconsistent enforcement across different counties, unjust fines for failing to meet inapplicable standards, and a lack of operational certainty for wellness centers, fitness facilities, and recovery clinics. HFA concludes that the addition of these definitions would help create a predictable business environment for wellness providers and ensure that all California consumers are protected by consistent, appropriately scaled health and safety standards.

4) PREVIOUS LEGISLATION.

a) AB 2384 (Wilson) of 2024 would have required a public swimming pool constructed on or after January 1, 2025, to comply with the standards and requirements of the federal Virginia Graeme Baker Pool and Spa Safety Act (act). Would have required an existing public swimming pool to be retrofitted to comply with the act whenever a construction permit is issued to alter the public swimming pool. Would have required, to the extent that the above-described existing requirements for public wading pools and public swimming pools conflict with the act, the requirements of the act would prevail. AB 2384 was not heard in the Assembly Health Committee.

b) AB 1020 (Emmerson), Chapter 267, Statutes of 2010 requires public swimming pools to be equipped with anti-entrap devices or systems that meet federal requirements.

5) AMENDMENTS. While the author's intent is to reference state law focused on Safe Recreational Water Use (commencing with HSC § 115825) with regard to all applicable requirements related to the construction and operation of a spa or spa pool as prescribed, this bill incorrectly references HSC § 115950, the Wave Pool Safety Act.

The Committee may wish to amend this bill to correct the incorrect cross reference described in 6) above.

REGISTERED SUPPORT / OPPOSITION:

Support

National Health and Fitness Association (sponsor)

Opposition

None on file

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