1 A bill to be entitled 2 An act relating to child water safety requirements; 3 providing a short title; creating s. 514.073, F.S.; 4 defining terms; providing that certain organizations 5 that care for or supervise children must require 6 parents or legal quardians to attest certain 7 information in writing before taking children under 8 their care or supervision to public bathing places or 9 public swimming pools; providing requirements for such organizations when they conduct certain activities in 10 11 public bathing places or public swimming pools; providing an exception; providing for disciplinary 12 13 action against such organizations for certain 14 violations; providing applicability; authorizing the 15 Department of Health to adopt rules; providing an 16 effective date. 17 Be It Enacted by the Legislature of the State of Florida: 18 19 20 Section 1. This act may be cited as the "Kareem Angel 21 Green Act." Section 2. Section 514.073, Florida Statutes, is created 22 23 to read: 24 514.073 Child water safety requirements for certain 25 entities.-

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CODING: Words stricken are deletions; words underlined are additions.

(1) As used in this section, the term:

- (a) "Child" means a person younger than 12 years of age.
- (b) "Organization" means a summer day camp, a summer 24-hour camp, a school, a preschool, a kindergarten, a nursery school, a child care facility as defined in s. 402.302, or any other facility providing child care services which is licensed by the Department of Children and Families.
- (c) "Public swimming pool" has the same meaning as in s. 514.011, but does not include a wading pool.
- (d) "Wading pool" means a pool, including a pool that contains a public interactive water feature or fountain, with a maximum water depth of no more than 18 inches.
- (2) An organization that takes a child in its care or under its supervision to a public bathing place or a public swimming pool or otherwise allows a child access to a public bathing place or public swimming pool must require the child's parent or legal guardian to attest in writing whether the child is able to swim or is at risk of injury or death when swimming or otherwise accessing a pool or body of water.
- organization conducts an activity that provides a child in its care or under its supervision access to a public bathing place or a public swimming pool, during the time each child who is unable to swim or is at risk of injury or death when swimming or accessing a body of water is present within a fenced-in area

around a public bathing place or public swimming pool or within 100 feet of a public bathing place or public swimming pool without a fenced-in area, the organization must:

- (a) For a public bathing place, provide to the child a Type II United States Coast Guard-approved personal flotation
 device.
- (b) For a public swimming pool, provide to the child a

 Type II or Type III United States Coast Guard-approved personal flotation device.
- (c) Ensure that the personal flotation device that it provides to the child is properly fitted to and fastened for the child.
- (4) An organization need not provide a child with a flotation device as required under subsection (3) if the child is actively participating in swimming instruction and the organization ensures that each such child is supervised during the instruction.
- (5) An organization licensed or otherwise regulated by the state which violates this section or rules adopted pursuant to this section is subject to disciplinary action, including, but not limited to, the imposition of an administrative penalty by any state regulatory agency with the power to take disciplinary action against that organization in the same manner as if the organization violated that agency's licensing or other regulatory laws or rules.

76	(6) This section does not apply to child-placing agencies,
77	family foster homes, or residential child-caring agencies as
78	those terms are defined in s. 409.175(2).
79	(7) The department may adopt rules necessary to implement

- (7) The department may adopt rules necessary to implement this section.
 - Section 3. This act shall take effect July 1, 2023.

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