

By Senator Rodriguez

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1 A bill to be entitled
2 An act relating to residential swimming pool
3 requirements; amending ss. 515.27 and 515.29, F.S.;
4 requiring swimming pools located on residential real
5 property that is transferred or sold on or after a
6 specified date to meet certain pool safety and pool
7 barrier requirements; requiring certain persons to
8 report violations of the law to a local law
9 enforcement agency; amending s. 515.31, F.S.;
10 conforming a cross-reference and making technical
11 changes; providing an effective date.

12
13 Be It Enacted by the Legislature of the State of Florida:

14
15 Section 1. Section 515.27, Florida Statutes, is amended to
16 read:

17 515.27 Residential swimming pool safety feature options;
18 penalties.—

19 (1) In order to pass final inspection and receive a
20 certificate of completion, a residential swimming pool must meet
21 at least one of the following requirements relating to pool
22 safety features:

23 (a) The pool must be isolated from access to a home by an
24 enclosure that meets the pool barrier requirements of s. 515.29;

25 (b) The pool must be equipped with an approved safety pool
26 cover;

27 (c) All doors and windows providing direct access from the
28 home to the pool must be equipped with an exit alarm that has a
29 minimum sound pressure rating of 85 dB A at 10 feet;

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30 (d) All doors providing direct access from the home to the
31 pool must be equipped with a self-closing, self-latching device
32 with a release mechanism placed no lower than 54 inches above
33 the floor; or

34 (e) A swimming pool alarm that, when placed in a pool,
35 sounds an alarm upon detection of an accidental or unauthorized
36 entrance into the water. Such pool alarm must meet and be
37 independently certified to ASTM Standard F2208, titled "Standard
38 Safety Specification for Residential Pool Alarms," which
39 includes surface motion, pressure, sonar, laser, and infrared
40 alarms. For purposes of this paragraph, the term "swimming pool
41 alarm" does not include any swimming protection alarm device
42 designed for individual use, such as an alarm attached to a
43 child that sounds when the child exceeds a certain distance or
44 becomes submerged in water.

45 (2) A swimming pool, regardless of the year in which the
46 pool was built, located on residential real property that is
47 transferred or sold on or after October 1, 2024, must be
48 equipped with at least one pool safety feature as required in
49 subsection (1). A title company, an inspector, or an underwriter
50 for the mortgage secured on the residential real property must
51 report a violation of this subsection to a local law enforcement
52 agency.

53 (3) A person who fails to equip a ~~new~~ residential swimming
54 pool with at least one pool safety feature as required in
55 subsection (1) or subsection (2) commits a misdemeanor of the
56 second degree, punishable as provided in s. 775.082 or s.
57 775.083, except that no penalty shall be imposed if the person,
58 within 45 days after arrest or issuance of a summons or a notice

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59 to appear, has equipped the pool with at least one safety
60 feature as required in subsection (1) and has attended a
61 drowning prevention education program established by s. 515.31.
62 However, the requirement of attending a drowning prevention
63 education program is waived if such program is not offered
64 within 45 days after issuance of the citation.

65 Section 2. Subsection (6) is added to section 515.29,
66 Florida Statutes, to read:

67 515.29 Residential swimming pool barrier requirements.—

68 (6) A swimming pool, regardless of the year in which the
69 pool was built, located on residential real property that is
70 transferred or sold on or after October 1, 2024, must meet all
71 of the pool barrier requirements in subsection (1). A title
72 company, an inspector, or an underwriter for the mortgage
73 secured on the residential real property must report a violation
74 of this subsection to a local law enforcement agency.

75 Section 3. Subsection (1) of section 515.31, Florida
76 Statutes, is amended to read:

77 515.31 Drowning prevention education program; public
78 information publication.—

79 (1) The department shall develop a drowning prevention
80 education program. Such program must, ~~which shall~~ be made
81 available to the public at the state and local levels and is
82 ~~which shall be~~ required as set forth in s. 515.27(3) s.
83 ~~515.27(2)~~ for persons in violation of the pool safety
84 requirements of this chapter. The department may charge a fee,
85 not to exceed \$100, for attendance at such a program. The
86 drowning prevention education program is to ~~shall~~ be funded
87 using fee proceeds, state funds appropriated for such purpose,

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88 and grants. The department, in lieu of developing its own
89 program, may adopt a nationally recognized drowning prevention
90 education program to be approved for use in local safety
91 education programs, as provided in rule of the department.

92 Section 4. This act shall take effect July 1, 2024.