

By Senator Smith

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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 that swimming pools located on residential
5 real property that is transferred or sold on or after
6 a specified date 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; providing a criminal penalty;
10 amending s. 515.31, F.S.; conforming a cross-reference
11 and making technical changes; providing an effective
12 date.

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

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

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

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

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

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

28 (c) All doors and windows providing direct access from the
29 home to the pool must be equipped with an exit alarm that has a

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30 minimum sound pressure rating of 85 dB A at 10 feet;

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

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

46 (2) A swimming pool, regardless of the year in which the
47 pool was built, located on residential real property that is
48 transferred or sold on or after October 1, 2025, must be
49 equipped with at least one pool safety feature as required in
50 subsection (1). A title company, an inspector, or an underwriter
51 for the mortgage secured on the residential real property must
52 report a violation of this subsection to a local law enforcement
53 agency.

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

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59 within 45 days after arrest or issuance of a summons or a notice
60 to appear, has equipped the pool with at least one safety
61 feature as required in subsection (1) or subsection (2) and has
62 attended a drowning prevention education program established by
63 s. 515.31. However, the requirement of attending a drowning
64 prevention education program is waived if such program is not
65 offered within 45 days after issuance of the citation.

66 Section 2. Subsection (6) is added to section 515.29,
67 Florida Statutes, and subsection (1) of that section is
68 republished, to read:

69 515.29 Residential swimming pool barrier requirements.—

70 (1) A residential swimming pool barrier must have all of
71 the following characteristics:

72 (a) The barrier must be at least 4 feet high on the
73 outside.

74 (b) The barrier may not have any gaps, openings,
75 indentations, protrusions, or structural components that could
76 allow a young child to crawl under, squeeze through, or climb
77 over the barrier.

78 (c) The barrier must be placed around the perimeter of the
79 pool and must be separate from any fence, wall, or other
80 enclosure surrounding the yard unless the fence, wall, or other
81 enclosure or portion thereof is situated on the perimeter of the
82 pool, is being used as part of the barrier, and meets the
83 barrier requirements of this section.

84 (d) The barrier must be placed sufficiently away from the
85 water's edge to prevent a young child or medically frail elderly
86 person who may have managed to penetrate the barrier from
87 immediately falling into the water.

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88 (6) A swimming pool, regardless of the year in which the
89 pool was built, located on residential real property that is
90 transferred or sold on or after October 1, 2025, must meet all
91 of the pool barrier requirements in subsection (1). A title
92 company, an inspector, or an underwriter for the mortgage
93 secured on the residential real property must report a violation
94 of this subsection to a local law enforcement agency.

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

97 515.31 Drowning prevention education program; public
98 information publication.—

99 (1) The department shall develop a drowning prevention
100 education program. Such program must,~~which shall~~ be made
101 available to the public at the state and local levels and is
102 ~~which shall be~~ required as set forth in s. 515.27(3) s.
103 ~~515.27(2)~~ for persons in violation of the pool safety
104 requirements of this chapter. The department may charge a fee,
105 not to exceed \$100, for attendance at such a program. The
106 drowning prevention education program is to ~~shall~~ be funded
107 using fee proceeds, state funds appropriated for such purpose,
108 and grants. The department, in lieu of developing its own
109 program, may adopt a nationally recognized drowning prevention
110 education program to be approved for use in local safety
111 education programs, as provided in rule of the department.

112 Section 4. This act shall take effect July 1, 2025.