

FLORIDA HOUSE OF REPRESENTATIVES

FINAL BILL ANALYSIS

This bill analysis was prepared by nonpartisan committee staff and does not constitute an official statement of legislative intent.

BILL #: [HB 85](#)

TITLE: Swimming Lesson Voucher Program

SPONSOR(S): Kendall and Eskamani

COMPANION BILL: [SB 428](#) (Yarborough)

LINKED BILLS: None

RELATED BILLS: [CS/HB 503](#) Eskamani, Kendall

FINAL HOUSE FLOOR ACTION:

108 Y's

0 N's

GOVERNOR'S ACTION:

Approved

SUMMARY

Effect of the Bill:

The bill revises the age eligibility requirement for children to qualify for vouchers under the Swimming Lesson Voucher Program from age four or younger to ages one through seven. The bill also requires the Department of Health to develop educational materials on drowning prevention safety measures and safe bathing practices to be distributed to parents and caregivers by hospitals, birth centers, home birth providers, and childbirth educators as part of postpartum or childbirth education.

The bill was approved by the Governor on April 21, 2026, ch. 2026-38, L.O.F., and will become effective on July 1, 2026.

Fiscal or Economic Impact:

The bill will have an indeterminate, negative fiscal impact on the Department of Health. [See Fiscal or Economic Analysis.](#)

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ANALYSIS

EFFECT OF THE BILL:

HB 85 passed as [CS/SB 428](#)

Water Safety and Drowning Prevention

The bill aims to increase water safety and prevent accidental drownings of children. The bill modifies the age eligibility requirements for the [Swimming Lesson Voucher Program](#) (SLVP) and requires postpartum or childbirth education to include information on drowning prevention and safe bathing practices.

Swimming Lesson Voucher Program

The bill revises the current age eligibility requirement for children to qualify for vouchers under the SLVP from age four and under to ages one through seven. Children under age one will no longer be eligible to receive vouchers through the SLVP. (Section [1](#))

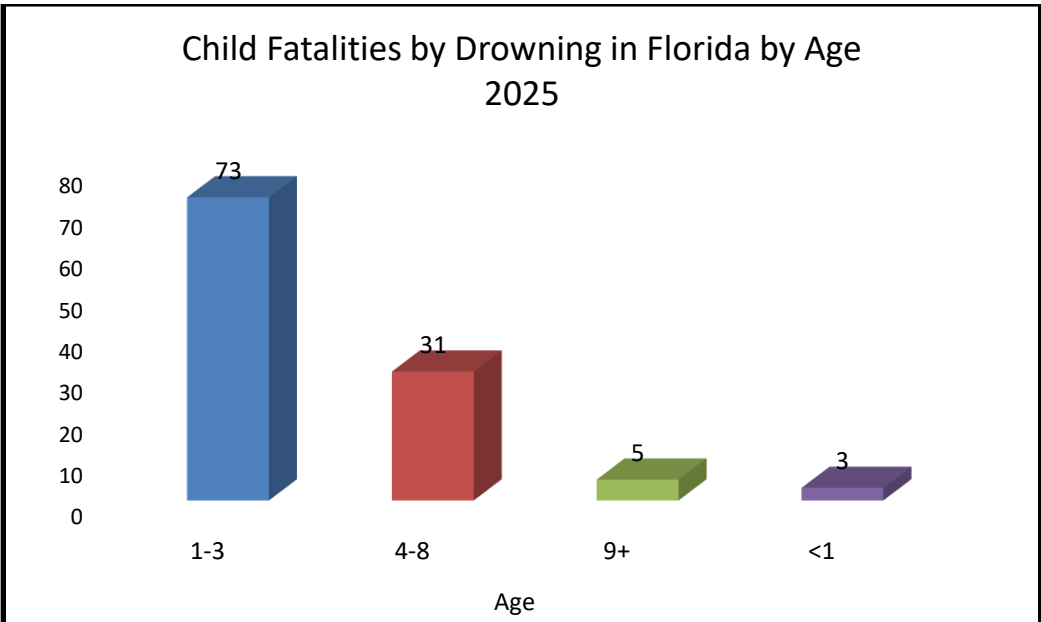
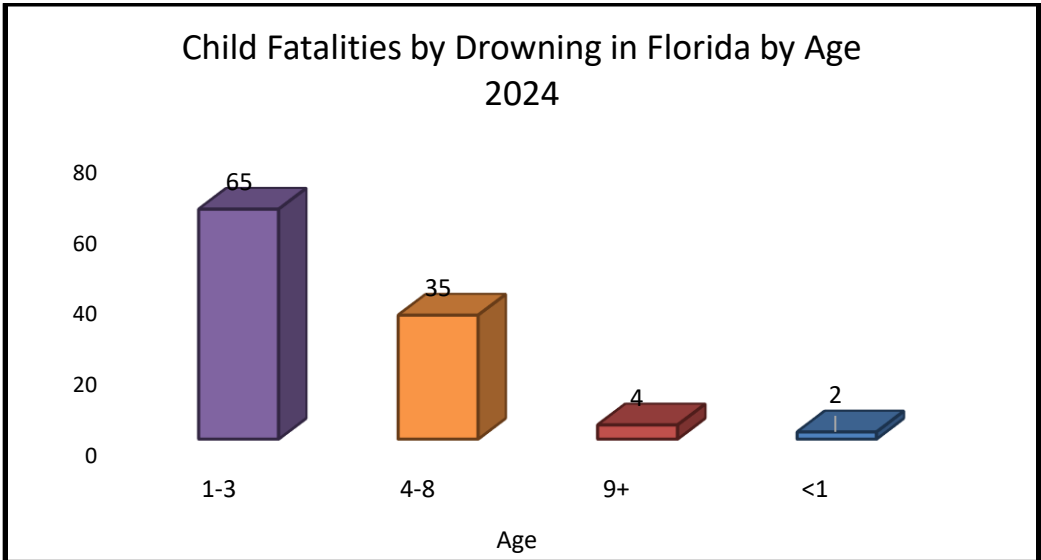
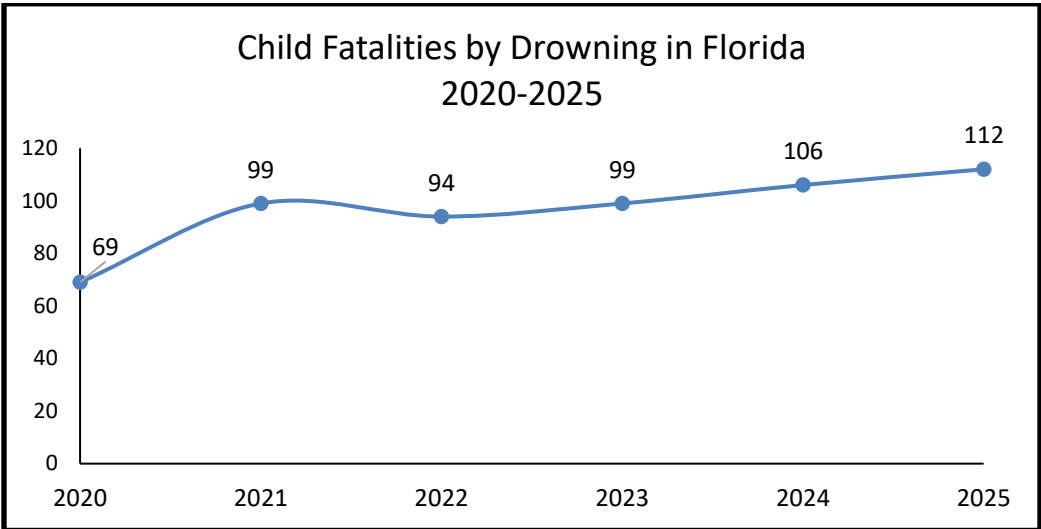
Drowning Prevention and Safety Education

The bill requires the Department of Health (DOH) to develop educational materials on [drowning prevention](#) safety measures and safe bathing practices to be distributed to parents and caregivers by hospitals, birth centers, home birth providers, and childbirth educators as part of postpartum or childbirth education. The bill requires the educational materials developed by DOH to include information on:

- The increased risk of drowning for infants and toddlers in bathtubs, pools, and other water sources, including available data on such drownings; and

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The majority of accidental drownings involving children occur in residential settings,¹¹ with pools and hot tubs being the most common location of drownings in homes¹² followed by bathtubs.¹³ Eighty-seven percent of drowning fatalities of children age five and younger occur in home pools or hot tubs. Children ages four and younger account for most fatal bathtub drownings, with two-years being most at risk.¹⁴

Drowning Prevention

The National Prevention Alliance (NDPA) recommends five steps for protecting children from drowning, which the NDPA refers to as the “5 layers of protection.” These layers of protection include: barriers and alarms, supervision, water competency, life jackets, and emergency preparation.¹⁵

Barriers and Alarms

According to the NDPA, 70 percent of child drownings happen during non-swim times.¹⁶ Creating barriers of protection to prevent access to water can help to significantly reduce accidental drownings. Barriers of protection include pool gates and fences, which prevent children from accessing a pool area when supervision is unavailable, pool covers and safety nets that prevent children from falling into a pool, and alarms that alert parents when the pool area or the pool itself has been accessed without permission and supervision.¹⁷ According to the Center for Disease Control, having a swimming pool security fence reduces the likelihood of childhood drownings by 83 percent.¹⁸

Supervision

The NDPA provides several recommendations for supervision of children around pools and bodies of water. These recommendations include having general house rules about not leaving children unattended and reminding guests, babysitters, and caregivers about pool hazards and the need for constant supervision. The NDPA also recommends active supervision while swimming and participating in water activities. Active supervision includes “touch supervision,” which requires adults to keep children within an arm’s length, and using a water watcher, i.e. a person whose sole responsibility is watching over the children in and near the water, or a lifeguard during water-centered gatherings.¹⁹

Water Competency

¹¹ A Commonwealth of Virginia Website: Virginia Department of Health, *Drowning Prevention*, available at https://www.vdh.virginia.gov/injury-and-violence-prevention/drowning-prevention/drowning-prevention/#:~:text=Some%20drowning%20prevention%20tips%20include:%20*%20**Be.keep%20toys%20around%20or%20in%20a%20pool, (last visited March 17, 2026).

¹² American Red Cross, *Drowning Prevention & Facts*, available at https://www.redcross.org/get-help/how-to-prepare-for-emergencies/types-of-emergencies/water-safety/drowning-prevention-and-facts.html?srsId=AfmBOopkmTMNPaVOgEqkqtRAurZzfD_pVcNhGfKjCXjiVAUWUDDdwd8K, (last visited March 17, 2026).

¹³ Two-thirds of residential child drownings occur in the bath. Other common residential sources of drownings for infants and toddlers include, buckets, bath seats, and toilets. American Red Cross, *Drowning Prevention & Facts*, available at https://www.redcross.org/get-help/how-to-prepare-for-emergencies/types-of-emergencies/water-safety/drowning-prevention-and-facts.html?srsId=AfmBOopkmTMNPaVOgEqkqtRAurZzfD_pVcNhGfKjCXjiVAUWUDDdwd8K, (last visited March 17, 2026).

¹⁴ Searcy Law, *Can an Infant Drown During Bath Time? – ‘In a Matter of Seconds,’* available at <https://www.searcy.com/can-an-infant-drown-during-bath-time-in-a-matter-of-seconds/>, (last visited March 17, 2026).

¹⁵ National Drowning Prevention Alliance, *Learn the 5 Layers of Protection*, available at <https://ndpa.org/layers/> (last visited March 9, 2026).

¹⁶ National Drowning Alliance, *The Five Layers of Protection*, p. 2, available at <https://ndpa.org/wp-content/uploads/2022/09/FINAL-LOP-Brochure.pdf> (last visited March 9, 2026).

¹⁷ *Id.* at pp. 3-6.

¹⁸ National Drowning Prevention Alliance, *Keeping Your Seasonal Pool Secure*, available at <https://ndpa.org/keeping-your-seasonal-pool-secure/#:~:text=The%20Safety%20Benefits%20of%20Pool.reduce%20the%20chance%20of%20drowning>, (last visited March 9, 2026).

¹⁹ *Supra* note 12 at p. 2.

Water competency is the ability to anticipate, avoid, and survive common drowning situations.²⁰ Learning to swim is a key component of water competency as it increases an individual’s water-safety skills and helps to reduce accidental drowning deaths.²¹ The American Academy of Pediatrics recommends swimming lessons as a layer of protection against drowning for children starting as early as age one.²² The AAP also recommends that children ages four and older learn to swim, including through swim lessons that provide instruction on swimming techniques and water survival skills taught by instructors certified through a nationally recognized curriculum.²³

Studies show that water survival skills and participation in formal swimming lessons reduces the risk of drowning by 88 percent for children ages one to four.²⁴ Participation in swimming lessons has also been shown to reduce drowning risks among children ages 1 to 19. Evidence suggests that teaching children water competency skills is effective, particularly if combined with other components of water safety and drowning prevention strategies.²⁵

Life Jackets

The NDPA recommends that everyone wear a life jacket or personal flotation device approved by the U.S. Coast Guard (USCG) whenever boating or in a natural or open body of water. The NDPA indicates it is important that the life jacket is USCG approved and fitted for the individual. Not all devices sold by retailers are tested and approved flotation devices. Devices that are not tested and approved cannot be considered a safe layer of protection and should not be part of a family’s water safety plan, according to the NDPA.²⁶

Emergency Readiness

The NDPA recommends that adults participating in water activities when children are involved have an emergency plan, including keeping a phone near the pool or swimming area with the ability to call 911 for help if needed. Additionally, parents and others who live in homes with pools should learn and practice cardiopulmonary resuscitation (CPR) and there should be at least one person who knows CPR at any large gathering where water is involved. Lastly, pool owners and operators may enroll in water safety courses that teach proper rescue techniques.²⁷

Safe Bathing Practices

Nearly two-thirds of drownings of infants and toddlers occur during bathing.²⁸ Children can drown in a bathtub with as little as two inches of water.²⁹ For new parents, practicing water safety often begins with the baby’s first

²⁰ American Academy of Pediatrics, Prevention of Drowning, available at <https://publications.aap.org/pediatrics/article/143/5/e20190850/37134/Prevention-of-Drowning?autologincheck=redirected>, (last visited March 9, 2026)

²¹ *Id.* The components of water competency include water-safety awareness, basic swim skills, and the ability to recognize and respond to a swimmer in trouble.

²² According to the AAP, there is currently no evidence that swim programs for children under age one lower their risk of drowning. See, Health Children.Org, *Swim Lessons: When to Start & What Parents Should Know*, available at https://www.healthychildren.org/English/safety-prevention/at-play/Pages/swim-lessons.aspx?_gl=1*oenf1s*_ga*NzEzZmZxc0DAwLjE3NjQ3ODk4NzE.*_ga_FD9D3XZVQQ*cze3NjQ3ODk4NzAkzEkZzAkdDE3NjQ3ODk4NzAkajYwJGwwjGgw, (last visited March 9, 2026).

²³ American Academy of Pediatrics, *Swim Lessons: When to Start & What Parents Should Know*, <https://www.healthychildren.org/English/safety-prevention/at-play/Pages/swim-lessons.aspx>, (last visited March 9, 2026).

²⁴ National Institute of Health, *Association Between Swimming Lessons and Drowning in Childhood*, Archives Pediatric Medicine, Vol 163 No 3, March 2009, available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC4151293/pdf/nihms617357.pdf>, (last visited March 9, 2026).

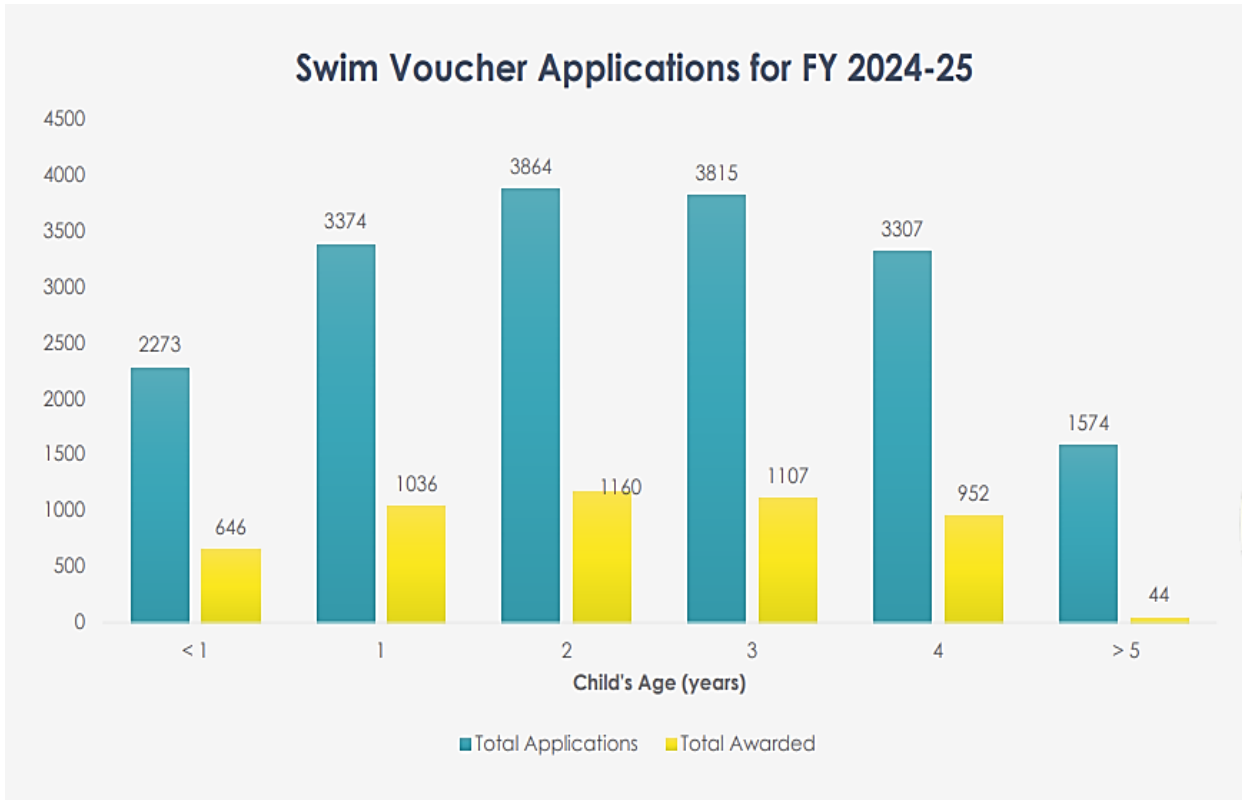
²⁵ National Library of Medicine, *Learning to Swim: An Exploration of Negative Prior Aquatic Experiences Among Children*, *Int J Environ Res Public Health*, 2020 May; 17(10): 3557., available at <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC7277817/#:~:text=Participation%20in%20formal%20swimming%20lessons,the%20additional%20drowning%20prevention%20strategies>, (last visited March 9, 2026).

²⁶ National Drowning Prevention Alliance, *Life Jackets*, available at <https://ndpa.org/life-jackets/> (last visited February 10, 2026).

²⁷ *Supra* note 10 at p. 10.

²⁸ Water Safety with Colin & Friends, *National Bath Safety Month*, (January 2024) available at <https://drowningispreventable.org/national-bath-safety-month/#:~:text=This%20is%20the%20cardinal%20rule.consumer%20product%20safety%20commission%20site,> (last visited March 17, 2026).

During the first year of the SLVP (Fiscal Year (FY) 2024-2025), DOH received 16,663 applications and awarded 4,945 vouchers.⁴¹ The bar graph below shows the number of swim voucher applications received and awarded, by age, for FY 2024-2025.⁴²



For FY 2025-2026, DOH received \$1,000,000 in recurring funding from the Legislature for the SLVP. The department expects to award approximately 5,250 vouchers for swimming lessons in FY 2025-2026.⁴³

Public School Efforts

In Florida, public schools are required to provide parents initially enrolling their children in school with information on the important role water safety education courses and swimming lessons play in saving lives by helping to prevent drownings.⁴⁴ The information provided must include local options for age-appropriate water safety courses and swimming lessons that result in a certificate indicating successful completion. Information on courses and lessons offered for free or at a reduced price must also be included.⁴⁵

Eyes on the Kids and Water Safety for Kids Initiatives

DCF along with several state and local partners, launched the Eyes on the Kids and Water Safety for Kids initiatives to help reduce child drowning fatalities in Florida.⁴⁶ The Eyes on the Kids initiative encourages parents to practice

⁴¹ DOH, *Agency Bill Analysis HB 85* (2026), on file with the House Health Professions and Programs Subcommittee.
⁴² DOH, *Implementation Briefing on Legislation Passed During the 2024-2025 Sessions*, presented at the House Health Professions and Programs Subcommittee, October 7, 2025, on file with the House Health Professions and Programs Subcommittee.
⁴³ *Id.*
⁴⁴ S. 1003.225, F.S.
⁴⁵ *Id.*
⁴⁶ DCF, *Water Safety*, available at <https://www.myflfamilies.com/services/child-family/child-and-family-well-being/summer-safety-tips/water-safety>, (last visited March 18, 2025).

the four water safety rules: supervision, barriers, swimming lessons and emergency preparedness. The Water Safety for Kids initiative provides short water safety presentations to elementary schools, book store story times, child care centers, libraries, summer camps, etc. The presentations can include reading water safety books, puppet shows, coloring sheets, costumed characters, and giveaways of small water safety items such as beach balls, stickers, and book marks.⁴⁷

⁴⁷ *Id.*