

By: Zaffirini

S.B. No. 1297

A BILL TO BE ENTITLED

AN ACT

relating to child water safety requirements for certain organizations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. This Act may be cited as Cati's Act.

SECTION 2. Subchapter D, Chapter 341, Health and Safety Code, is amended by adding Section 341.0646 to read as follows:

Sec. 341.0646. CHILD WATER SAFETY REQUIREMENTS FOR CERTAIN ORGANIZATIONS. (a) In this section:

(1) "Body of water" means an artificial or natural body of water, including a swimming pool, wading pool, lake, or river, typically used for recreational swimming, bathing, or play.

(2) "Child" means an individual under 18 years of age.

(b) An organization, including a school, preschool, kindergarten, nursery school, or day camp or youth camp, as defined by Section 141.002, that takes a child in its care or under its supervision to a body of water or otherwise allows a child access to a body of water shall:

(1) determine whether the child is able to swim or is at risk when swimming; and

(2) if the organization does not own or operate the body of water, provide the owner or operator of the body of water a written or electronic disclosure that clearly identifies each child who is unable to swim or is at risk when swimming.

1        (c) During the time each child who is unable to swim or is at  
2 risk when swimming has access to a body of water, the organization  
3 shall:

4                (1) provide to the child:

5                        (A) for a natural body of water, a Type II United  
6 States Coast Guard approved personal flotation device; or

7                        (B) for an artificial body of water, a Type II or  
8 Type III United States Coast Guard approved personal flotation  
9 device; and

10                      (2) ensure the child is wearing the appropriate  
11 personal flotation device and the device is properly fitted for the  
12 child.

13        (d) The executive commissioner may adopt rules necessary to  
14 implement this section.

15        SECTION 3. This Act takes effect September 1, 2021.