

## **BILL ANALYSIS**

Senate Research Center

S.B. 2120  
By: Hughes  
Health & Human Services  
4/23/2021  
As Filed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 2120 commissions a study to be conducted by the Health and Human Services Commission (HHSC) that examines the current safety of Texas child swim schools. The study is limited in scope to those swim schools that employ three or more individuals and provide in-water instruction to children six years of age or younger.

This bill provides an opportunity for the legislature to better understand (1) the current safety measures deployed by Texas swim schools; and (2) the frequency in which incidents resulting in serious injury or death of a child occur at a Texas swim schools. In recent years, there have been incidents at Texas swim schools that resulted in the serious injury or death of a child. These incidents often include a child drowning or suffering water-related injuries. Currently, Texas swim schools are not regulated or licensed by the state. S.B. 2120 does not create any regulatory scheme for Texas swim schools, but instead surveys the current status of swim school safety and the frequency of incidents. The legislation also allows HHSC to study any other issues relevant to examining the safety of Texas swim schools.

Supporters of this bill likely include groups concerned with child and water safety such as the American Red Cross, the YMCA, and various physician and/or medical-provider associations. Because this bill does not impose any requirements on any entities—other than on HHSC to conduct the study—there will likely not be significant opposition to the legislation. Swim schools and swim school associations could possibly perceive the bill as reflecting negatively on their industry, and as a result, may oppose the legislation.

As proposed, S.B. 2120 amends current law relating to a study on the safety of Texas swim schools.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. DEFINITIONS. Defines "commission," "swim school," and "student."

SECTION 2. STUDY REGARDING SWIM SCHOOL SAFETY. (a) Requires the Health and Human Services Commission (HHSC) to conduct a study to assess the current safety of swim schools in the state of Texas.

(b) Requires HHSC, in conducting the study, to consider frequency of which an incident involving serious injury or death to a student occurs at Texas swim schools, current safety measures deployed by operators of Texas swim schools, and any other issues that HHSC determines are relevant to assessing the current safety of Texas swim schools.

SECTION 3. REPORT TO LEGISLATURE. Requires HHSC, not later than December 2, 2022, to submit a report to each member of the legislature that includes the results of the study conducted under Section 2 of this Act and any recommendations of HHSC related to the study.

SECTION 4. EXPIRATION. Provides that this Act expires September 1, 2023.

SECTION 5. EFFECTIVE DATE. Effective date: upon passage or September 1, 2021.