

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 are 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. Subsection (2) of section 515.27, Florida
 16 Statutes, is renumbered as subsection (3), present subsection
 17 (2) is amended, a new subsection (2) is added to that section,
 18 and subsection (1) is republished, to read:

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

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

25 (a) The pool must be isolated from access to a home by an

HB719

2024

26 enclosure that meets the pool barrier requirements of s. 515.29;

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

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

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

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

47 (2) A swimming pool, regardless of the year in which the
48 pool was built, located on residential real property that is
49 transferred or sold on or after October 1, 2024, must be
50 equipped with at least one pool safety feature as required in

HB719

2024

51 subsection (1). A title company, an inspector, or an underwriter
52 for the mortgage secured on the residential real property must
53 report a violation of this subsection to a local law enforcement
54 agency.

55 (3)-(2) A person who fails to equip a ~~new~~ residential
56 swimming pool with at least one pool safety feature as required
57 in subsection (1) or subsection (2) commits a misdemeanor of the
58 second degree, punishable as provided in s. 775.082 or s.
59 775.083, except that no penalty shall be imposed if the person,
60 within 45 days after arrest or issuance of a summons or a notice
61 to appear, has equipped the pool with at least one safety
62 feature as required in subsection (1) and has attended a
63 drowning prevention education program established by s. 515.31.
64 However, the requirement of attending a drowning prevention
65 education program is waived if such program is not offered
66 within 45 days after issuance of the citation.

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

69 515.29 Residential swimming pool barrier requirements.—

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

76 | of this subsection to a local law enforcement agency.

77 | Section 3. Subsection (1) of section 515.31, Florida
78 | Statutes, is amended to read:

79 | 515.31 Drowning prevention education program; public
80 | information publication.—

81 | (1) The department shall develop a drowning prevention
82 | education program. Such program must, ~~which shall~~ be made
83 | available to the public at the state and local levels and is
84 | ~~which shall be~~ required as set forth in s. 515.27(3) s.
85 | ~~515.27(2)~~ for persons in violation of the pool safety
86 | requirements of this chapter. The department may charge a fee,
87 | not to exceed \$100, for attendance at such a program. The
88 | drowning prevention education program is to ~~shall~~ be funded
89 | using fee proceeds, state funds appropriated for such purpose,
90 | and grants. The department, in lieu of developing its own
91 | program, may adopt a nationally recognized drowning prevention
92 | education program to be approved for use in local safety
93 | education programs, as provided in rule of the department.

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