

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2023

FILED SENATE
Apr 5, 2023
S.B. 602
PRINCIPAL CLERK

S

D

SENATE BILL DRS15264-LU-1B

Short Title: Grant's Law/Require Lifeguards at Day Camps. (Public)

Sponsors: Senators Meyer and Johnson (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO REQUIRE CERTIFIED LIFEGUARDS AT DAY CAMPS FOR SCHOOL-AGE
3 CHILDREN WHEN PROVIDING AQUATIC ACTIVITIES.

4 The General Assembly of North Carolina enacts:

5 SECTION 1. Article 7 of Chapter 110 of the General Statutes is amended by adding
6 a new section to read:

7 "**§ 110-101.2. Lifeguard requirements for day camps.**

8 (a) Definitions. – The following definitions apply in this section:

9 (1) Aquatic activities. – Activities that take place in or around a body of water,
10 such as swimming, swimming instruction, wading, or visits to water parks.
11 The term does not include water play activities, such as water table play, slip
12 and slide activities, or playing in sprinklers.

13 (2) Day camp. – A recreation program that offers care to three or more school-age
14 children and operates for less than four consecutive months per year.

15 (3) Public swimming pool. – As regulated under Part 10 of Article 8 of Chapter
16 130A of the General Statutes, any structure, chamber, or tank containing an
17 artificial body of water used by the public for swimming, diving, wading,
18 recreation, or therapy, together with buildings, appurtenances, and equipment
19 used in connection with the body of water, regardless of whether a fee is
20 charged for its use. The term includes municipal, school, hotel, motel,
21 apartment, boarding house, athletic club, or other membership facility pools
22 and spas, spas operating for display at temporary events, and artificial
23 swimming lagoons.

24 (4) School-age child. – Any child who is attending or who has attended a public
25 or private grade school or kindergarten and meets age requirements as
26 specified in G.S. 115C-364. For purposes of this section, the term includes a
27 child up to 18 years of age.

28 (b) Scope. – This section shall govern the mandatory requirements for lifeguard
29 supervision of school-age children participating in aquatic activities at day camps.

30 (c) Requirements. – A day camp offering aquatic activities shall provide an individual
31 who has a current lifeguard training certificate issued by the Red Cross or other training
32 determined by the Department to be equivalent to Red Cross training, appropriate for both the
33 type of body of water and type of aquatic activity. A lifeguard supervising a child pursuant to
34 this section shall continue any training required to maintain current lifeguard certification. In
35 addition to any applicable rules adopted by the Commission regarding participation in aquatic



1 activities, each of the following is required for children participating in aquatic activities at day
2 camps:

- 3 (1) A ratio of two lifeguards for the first 25 children and one additional lifeguard
4 for every 15 children or portion thereof.
- 5 (2) A lifeguard chair that positions the lifeguard at a height no less than 6 feet
6 from the ground.
- 7 (3) A mandatory swim test in a public swimming pool before aquatic activities
8 begin. If a child is unable to swim across the public swimming pool, then a
9 properly fitted, U.S. Coast Guard-approved life jacket is required for that
10 participant at all times while engaging in aquatic activities.
- 11 (4) If a U.S. Coast Guard-approved life jacket is required pursuant to subdivision
12 (3) of this subsection, the life jacket shall meet the following requirements:
 - 13 a. Appropriately sized for the intended child.
 - 14 b. In good and serviceable condition.
 - 15 c. Properly stowed when not in use, but readily accessible.

16 (d) Participation in the following types of aquatic activities is prohibited under this
17 section:

- 18 (1) Hot tubs.
- 19 (2) Spas.
- 20 (3) Saunas or steam rooms.
- 21 (4) Portable wading pools.
- 22 (5) Other unfiltered, nondisinfected containments of water."

23 **SECTION 2.** The Department shall establish any policies necessary to implement
24 Section 1 of this act similar to rules or policies implemented for licensed summer day camps, as
25 may be applicable.

26 **SECTION 3.** This act becomes effective June 1, 2024.