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## SENATE COMMITTEE ON HEALTH

Senator Caroline Menjivar, Chair

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**BILL NO:** AB 1005  
**AUTHOR:** Davies  
**VERSION:** May 23, 2025  
**HEARING DATE:** July 16, 2025  
**CONSULTANT:** Jen Flory

**SUBJECT:** Drowning prevention: public schools: informational materials: swim lesson vouchers and swim lesson directory

**SUMMARY:** Establishes the Swim Lesson Voucher and Swim Lesson Directory Development Plan Partnership (partnership). Requires the partnership to develop guidelines for establishing a swim lesson voucher program for children in households earning less than 250% of the federal poverty level and a swim lesson directory in California, both of which may include initial pilot programs.

**Existing law:**

- 1) Defines “public swimming pool” to mean any public swimming pool, bathhouse, public swimming and bathing place, and all related appurtenances. Designates the Department of Public Health (CDPH) as the department with that has supervision of sanitation, healthfulness, and safety of public swimming pools. [HSC §116025 and §116035]
- 2) Requires lifeguard service to be provided for any public swimming pool that is of wholly artificial construction and which charges a direct fee for use. “Direct fee” is defined as a separately stated fee or charge for using a public swimming pool to the exclusion of any other service, facility, or amenity. Requires all other public swimming pools to either have lifeguard service or to have signs clearly indicating that the service is not provided. [HSC §116045]
- 3) Establishes the Swimming Pool Safety Act, which requires, when a building permit is used for the construction of a new swimming pool or spa or the remodeling of an existing swimming pool or spa at a private single-family home, for the swimming pool or spa to be equipped with at least two of the following seven drowning prevention safety features:
  - a) An enclosure with specified characteristics that isolates the swimming pool or spa from the private single-family home;
  - b) Removable mesh fencing that meets specified standards in conjunction with a gate that is self-closing and self-latching and can accommodate a key lockable device;
  - c) An approved safety pool cover;
  - d) Exit alarms on the private single family home’s doors that provide direct access to the swimming pool or spa;
  - e) A self-closing, self-latching device with a release mechanism placed no lower than 54 inches above the floor on the private single family home’s doors providing direct access to the swimming pool or spa;
  - f) An alarm that, when placed in a swimming pool or spa, will sound upon detection of accidental or unauthorized entrance into the water; and,
  - g) Other means of protection if the protection afforded is greater or equal to that afforded by the features above and has been independently verified by an appropriate laboratory as

meeting standards for those features established by a nationally recognized standards development organization and is labeled as such. [HSC §115922]

- 4) Allows a drowning or injury prevention organization to provide informational materials to a public school regarding the role that water safety education courses and swim lessons play in drowning prevention and local water safety and swim skills programs in the communities served by the school, including free or reduced-price programs. Allows a public school to provide the informational materials to parents and caregivers at the time of enrollment and the beginning of each school year. [EDC §51140]

**This bill:**

Swim Lesson Voucher and Swim Lesson Directory Development Plan Partnership

- 1) Establishes the Swim Lesson Voucher and Swim Lesson Directory Development Plan Partnership (partnership). Requires the partnership to develop guidelines for establishing a swim lesson voucher program and swim lesson directory in California, both of which may include initial pilot programs. States that the purpose of the partnership is to increase water safety by offering vouchers for swim lessons at no cost to children under 18 years old whose families have incomes of no more than 250% of the federal poverty level and to make it easier for parents and guardians to access swim lessons for their children at all ages.
- 2) Requires the partnership to consist of no more than ten members, appointed by the Governor, and to include representatives of the following entities: California's local parks and recreation district leadership with experience in water safety as identified by the California Association of Recreation and Park Districts; State agencies with experience in water safety or drowning prevention; and, up to four experts in drowning prevention identified by the Drowning Prevention Foundation.
- 3) Requires the partnership to develop model written agreements to establish a network of public and private swim lesson programs that accept vouchers for swim lessons. Requires model written agreements to be established with at least one public or private swim lesson program in each county and at least one within a five-mile radius of those metropolitan areas with populations of 50,000 or higher.
- 4) Requires the partnership to verify that public and private swim lesson programs have adequate and appropriately trained instructors to provide swim lessons for a voucher recipient.
- 5) Requires the partnership to establish a model application method and eligibility criteria for swim lesson vouchers that includes documentation of California residency and documentation of income below 250% of the federal poverty level, which may be shown by proof of receiving income-based federal or state benefits.
- 6) Requires the partnership to issue the vouchers and adopt the necessary guidelines to administer the swim lesson voucher program.
- 7) Requires the partnership to develop a free online statewide directory of swim lesson programs, listed by county, including public and private programs that do not discriminate based on ethnicity, gender, economic status, or any other protected category, in consultation with other organizations with experience in developing a swim lesson directory.

- 8) Requires the directory to include the following information about each swim program listed: name of the program and parent organization; contact information; age groups the program serves; qualifications of the instructors and lifeguards; and, information about signing up.
- 9) Authorizes and encourages the directory to include links to public and private transportation systems to travel to and from swim lessons and information regarding vouchers, subsidies, or fee waivers provided by a local government or transportation agency.
- 10) Requires the directory to be made available upon request from a local education agency or school to share with parents or guardians and allows the directory to be posted on a local education agency or school's website.
- 11) Requires the partnership to make recommendations and an action plan to seek contributions from recognized foundations, including the Drowning Prevention Foundation, corporate donors, or individuals that will fund or match funds to cover the cost of the voucher program and the development of the directory.
- 12) Requires the partnership to provide directions and options for administering the voucher program and swim lesson directory through state and regional public or private partners.
- 13) Conditions implementation of the partnership and directory provisions upon an appropriation in the annual Budget Act or another statute, or upon sufficient funds being provided by a foundation, corporation, or other funding benefactor to the partnership for these purposes.
- 14) States legislative findings that drowning is a leading cause of death for children, can be prevented by increasing water safety knowledge and swim skills, and that drowning prevention classes, including swim lessons with certified instructors, increase swim skills and competency. Declares swim skills and water competency an essential component of California's drowning prevention actions.

#### Education provisions

- 15) Encourages public schools to provide students with water safety informational materials specified in existing law through multiple means, including but not limited to school assemblies, class room instruction, or library programs.
- 16) Requires a drowning or injury prevention organization that provides information to a public school to demonstrate that the informational materials provided by the drowning or injury prevention organization aligns with the information found on the drowning prevention webpage of the Centers for Disease Control and Prevention and provide informational materials at no cost to the public school and allow the school to offer copies of the materials to pupils and parents, and determine how said materials are made available. Specifies that a school administrator or school entity authorized by the school district that engages with a drowning or injury prevention organization shall not be responsible for confirming the drowning or injury prevention organization's compliance with these requirements.
- 17) Requires the California Department of Education (CDE) to gather and make available on its website, school-based water safety and drowning prevention educational resources and curriculum that are age appropriate to students of different grade levels and adaptable for public school use.

**FISCAL EFFECT:** According to the Assembly Appropriations Committee, one-time General Fund costs of up to approximately \$300,000 for the CDE to review and make available existing and freely accessible school-based water safety and drowning prevention education curriculum and resources on its website. One-time General Fund cost pressures likely in the tens of thousands to hundreds of thousands of dollars for funding to facilitate creation of the partnership's swim lesson voucher program guidelines and directory.

**PRIOR VOTES:**

Senate Education Committee	7 - 0
Assembly Floor:	77 - 0
Assembly Appropriations Committee:	14 - 0
Assembly Education Committee:	9 - 0

**COMMENTS:**

- 1) *Author's statement.* According to the author, drowning is completely preventable, but every year we have families across our State losing loved ones to unintentional drowning. With so many barriers to entry in swimming, it is hard for families to get the resources they need. By providing drowning prevention education in schools, we can ensure that students and their families are receiving information from professionals on best practices. Also by developing a swim lesson voucher program, we will eventually be able to ensure that any kid who wants to swim will be able to learn, and we can finally end drowning in California.
- 2) *Childhood drowning incidents.* According to a 2021 technical report published by the American Academy of Pediatrics (AAP), drowning is the leading cause of unintentional injury-related death in U.S. children aged one to four years and, as of 2018, has surpassed birth defects as the most common cause of death among this age group. Drowning is the third leading cause of unintentional injury-related death among U.S. children and adolescents aged five through 19 years. In 2018, almost 900 U.S. children and youth under age 20 died of drowning and more than 7,200 were seen at a hospital emergency department for a drowning event, with 35% of those children either hospitalized or transferred for further care. Rates of drowning death vary with age, sex, and race; those at greatest risk are toddlers and male adolescents. Fortunately, childhood unintentional drowning fatality rates have decreased steadily from 2.68 per 100,000 in 1985 to 1.09 per 100,000 in 2018. Most victims of nonfatal drowning do well, but severe long-term neurologic deficits are seen with extended submersion times, prolonged resuscitation efforts, and lack of early bystander-initiated cardiopulmonary resuscitation.

According to the CDPH website, drowning takes the lives of more California toddlers than any other kind of accident. CDPH's Injury and Violence Prevention Branch statistics show that approximately 50 children under five die every year; however, how child drowning data is collected is currently under review by CDPH, pursuant to SB 855 (Newman, Chapter 817, Statutes of 2022), and this may be an undercount. Children who manage to survive a near drowning often suffer permanent brain damage from lack of oxygen. Most of these drownings take place at the homes of parents, relatives, or neighbors. CDPH recommends a combination of adult supervision and safety barriers for preventing drownings and states that, when around water, children must be kept in direct sight at all times, as children in water or next to water can drown immediately and silently, so there is no room for error.

- 3) *Role of swim lessons in preventing drowning.* The aforementioned report by the AAP states that although swim lessons provide one layer of protection from drowning, swim lessons do not “drown proof” a child, and parents must continue to provide barriers to prevent unintended access when not in the water and closely supervise children when in and around water. AAP recommends swim lessons to all children when they are developmentally ready, and when to start such lessons depends on a variety of factors such as comfort with being in water, health status, emotional maturity, and physical and cognitive limitations, but generally no sooner than age one. They also caution that swim skills developed in one aquatic environment do not necessarily transfer to another, and achieving basic water-competency requires multiple lessons. That said, there is evidence that swim lessons do lower drowning rates among children, including for very young children. AAP also notes that in order for children to learn to swim, lessons must be affordable, convenient, and culturally appropriate.
- 4) *Double referral.* This bill was heard in the Senate Education Committee on July 9, 2025, and passed with a 7-0 vote.
- 5) *Prior legislation.* AB 1445 (Arambula, Chapter 370, Statutes of 2023) authorizes a drowning or injury prevention organization to provide informational materials to a public school, and authorizes, beginning with the 2024-25 school year and upon receipt of the materials, a public school to provide the materials to parents of pupils.

AB 2650 (Arambula of 2022) would have authorized a drowning or injury prevention organization to provide informational materials to a public elementary school, and would have required beginning with the 2022-23 school year, upon receipt of the materials, a public elementary school to provide the materials to parents of pupils in kindergarten to grade three, inclusive. *AB 2650 was held in the Assembly Education Committee.*

SB 855 (Newman, Chapter 817, Statutes of 2022) establishes a data collection pilot program, until January 1, 2029, to be administered by the CDPH for the purposes of tracking and collecting data on fatal and nonfatal childhood drownings; and, requires CDPH to use the collected data to develop a water safety action plan and standardized electronic forms for data collection.

AB 768 (Holden of 2021) would have required the CDPH, in cooperation with the CDE and other entities, to develop an aquatic and pool safety program to be made available for use at school districts, county offices of education, and charter schools that serve pupils in kindergarten through grade 12, as a model policy. *AB 768 was held in the Assembly Education Committee.*

SB 442 (Newman, Chapter 670, Statutes of 2017) requires two of seven specified safety barriers to keep children from accessing pools.

- 6) *Support.* With regards to the swim lesson voucher and directory portions of this bill in particular, co-sponsor the Drowning Prevention Foundation writes that this bill establishes in statute the importance of swim skills and swim lessons as an essential part of California’s drowning prevention strategic plan. Having swim skills has been shown through research to have a major impact on reducing drowning. This bill raises swim lessons to the same level of public importance as other child safety issues such as passenger safety seats, prohibiting leaving young children in parked cars alone, banning sales of unsafe sleeping cribs, requiring all playgrounds be safe, requiring all first-time teenage drivers having driver education,

requiring smoke and carbon-monoxide alarms, etc. It is long overdue to elevate and acknowledge the importance of swim skills and swim lessons to prevent drowning. They state that this bill creates the strategic process for developing a statewide swim lesson voucher plan so children of all ages and all economic backgrounds can afford and have access to swim lessons and for developing a statewide swim lesson directory to make it far easier for all parents, grandparents, caregivers, and guardians to locate swim lesson options where they live. Co-sponsor California Coalition for Children's Safety and Health write that even though swim skills have been shown through research to reduce drowning by up to 88%, California law does not acknowledge swim lessons for all ages of children as being a critical public health issue.

- 7) *Policy comments.* The partnership responsible for developing the swim lesson voucher program and directory is not housed within a department, which will make staffing the work and entering into contracts challenging. Additionally, while offering organizations that the Governor may consult with to find the appropriate members for the partnership may be appropriate, tasking specific organizations with identifying members for the Governor may be a step too far in infringing on the role of government, even if meant to be helpful. The author should consider locating this work in the CDPH and including those drowning experts that are already involved in the development of materials or have experience with local voucher programs as stakeholders. Any concerns regarding whether the work will actually get done can be addressed through specific timelines.

Additionally, the swim lesson voucher program could use some minor modifications to make it easier to implement. The author may consider tying the income eligibility to receipt of specified public programs or a showing that the household income is below 250% of the poverty level so families can demonstrate eligibility in the easiest manner available. The number of model contracts can also be significantly reduced. A separate model is not needed for each county or municipality over 50,000, but rather for the basic types of swim programs that exist – e.g. public, private, etc.

- 8) *Amendments.* The author agreed to the following amendments in Senate Education Committee; however, given the short time between committees, the Author has agreed to take them in this committee:

**51900.1.** The department, in consultation with the State Department of Developmental Services and the State Department of Public Health, shall gather and make available on its internet website school-based water safety and drowning prevention education resources and curriculum that are age appropriate to pupils of different grade levels and adaptable for public school use. The department is encouraged to refer to the existing, freely accessible, age- and grade-appropriate curriculum that has been identified by relevant water safety and drowning prevention stakeholder organizations ~~the Drowning Prevention Foundation~~ and that can be used in school settings.

The author and this committee have agreed to the following amendments to address the policy comments above:

- Recast the partnership responsible for developing the swim lesson voucher program and directory as a stakeholder advisory committee to be housed in CDPH, in consultation with the Department of Developmental Services (DDS is currently involved in drowning

prevention efforts as well due to the large number of drowning survivors who then need DDS services);

- Add a deadline for the partnership to complete its activities by July 1, 2027 and to sunset this portion of the bill by July 1, 2028; and,
- Make various clarifying changes to the swim lesson voucher program.

**SUPPORT AND OPPOSITION:**

**Support:** California Coalition for Children's Safety and Health (co-sponsor)  
Drowning Prevention Foundation (co-sponsor)  
California Association of School Police Chiefs  
California Coalition of School Safety Professionals  
California Pool & Spa Association  
California Special Districts Association  
California State PTA  
Emergency Medical Services Administrators' Association of California  
Los Angeles School Police Management Association  
Los Angeles School Police Officers Association  
National Marine Manufacturers Association  
Orange County Fire Authority  
Rady Children's Hospital  
Riverside Police Officers Association  
Riverside Sheriffs' Association  
San Diego County Medical Society

**Oppose:** None received.

**-- END --**