

Senate Bill 107

By: Senators Burns of the 23rd, Jones II of the 22nd, Still of the 48th, Kennedy of the 18th,
Gooch of the 51st and others

AS PASSED

A BILL TO BE ENTITLED

AN ACT

1 To amend Title 31 of the Official Code of Georgia Annotated, relating to health, so as to
2 enact "Izzy's Law"; to provide for the development of a model aquatic safety plan by the
3 Department of Public Health; to provide for review and revision of such model plan at least
4 every five years; to provide for standards for inclusion in such model plan; to provide for
5 publication and promotion of such model plan; to provide that every private swim instructor
6 in this state shall have an aquatic safety plan before providing swimming lessons to any
7 individual by a date certain; to provide for a short title; to provide for definitions; to provide
8 for an effective date; to provide for related matters; to repeal conflicting laws; and for other
9 purposes.

10 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

11 **SECTION 1.**

12 Title 31 of the Official Code of Georgia Annotated, relating to health, is amended by
13 enacting a new chapter to read as follows:

14 "CHAPTER 45A

15 31-45A-1.

16 This chapter shall be known and may be cited as 'Izzy's Law.'

17 31-45A-2.

18 As used in this chapter, the term:

19 (1) 'Aquatic safety plan' means the plan developed by the department pursuant to Code
20 Section 31-45A-3.

21 (2) 'Department' means the Department of Public Health.

22 (3) 'Private swim instructor' means any individual who regularly offers swimming
23 lessons to another individual to whom they are not related in return for compensation.

24 31-45A-3.

25 (a) No later than January 1, 2024, the department shall develop a model aquatic safety plan
26 based on national standards for private swim instructors to be available for download from
27 its website. The department shall review the model aquatic safety plan at least every five
28 years and make any necessary revisions based on changes to national standards for private
29 swim instructors. The department may partner with an external organization recognized
30 as an authority in aquatic safety to assist in the development, review, and any necessary
31 revision of the model aquatic safety plan and other tasks as may be appropriate to the
32 development of the model, including the provision of the necessary data, information, and
33 resources to ensure successful development of the model as required by this Code section.

34 (b) The model aquatic safety plan shall include minimum procedures, requirements, and
35 standards for the following:

36 (1) The recommended ratio of students to private swim instructors in a group lesson
37 setting;

- 38 (2) Recommendations on secondary supervision during swimming lessons;
39 (3) Participation by or presence of a parent or caregiver during swimming lessons; and
40 (4) Certification in cardiopulmonary resuscitation by a private swim instructor or his or
41 her assistant.

42 (c) Private swim instructors may utilize such equipment as necessary to promote aquatic
43 safety during any instruction, with consideration to the number, age, and skill and
44 experience level of participating students. Such equipment shall include, but is not limited
45 to, the use of a pool deep end divider and floating safety rope line dividers.

46 (d) The department may include additional provisions in the model aquatic safety plan at
47 its discretion for safety, training, and emergency response that are endorsed by nationally
48 recognized authorities on aquatic safety, including, but not limited to, the American Red
49 Cross, the YMCA, the YWCA, the Centers for Disease Control and Prevention, the
50 National Drowning Prevention Alliance, and the United States Swim School Association.

51 31-45A-4.

52 (a) No later than January 1, 2024, the department shall publish the model aquatic safety
53 plan developed pursuant to Code Section 31-45A-3 in a prominent location on its website.
54 The department may publish such plan on any other websites identified by the department
55 as appropriate, provided that any such publication shall be at no cost to the department.

56 (b) The department shall be authorized to enter into agreements with local aquatic safety
57 advocacy organizations to create instructional materials and content relating to the model
58 aquatic safety plan for distribution to private swim instructors and for the promotion of the
59 model aquatic safety plan.

60 31-45A-5.

61 (a) No later than April 1, 2024, every private swim instructor in this state shall have an
62 aquatic safety plan in place before providing swimming lessons to any individual.

63 (b) Private swim instructors may adopt the department's model aquatic safety plan or they
64 may develop their own aquatic safety plan.

65 (c) Any aquatic safety plan in place developed by a private swim instructor that contains
66 all of the procedures, requirements, and standards set forth in subsection (b) of Code
67 Section 31-45A-3 shall be adequate for purposes of this chapter."

68 **SECTION 2.**

69 This Act shall become effective upon its approval by the Governor or upon its becoming law
70 without such approval.

71 **SECTION 3.**

72 All laws and parts of laws in conflict with this Act are repealed.