

AMENDED IN ASSEMBLY MAY 23, 2025

AMENDED IN ASSEMBLY APRIL 21, 2025

AMENDED IN ASSEMBLY MARCH 25, 2025

CALIFORNIA LEGISLATURE—2025–26 REGULAR SESSION

## ASSEMBLY BILL

**No. 1005**

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**Introduced by Assembly Member Davies**  
*(Coauthors: Assembly Members Alanis, Chen, and Flora)*

February 20, 2025

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An act to amend Section 51140 of, and to add Sections 51139, 51141, and 51900.1 to, the Education Code, and to add Sections 116036 and 116064.3 to the Health and Safety Code, relating to drowning prevention.

### LEGISLATIVE COUNSEL'S DIGEST

AB 1005, as amended, Davies. Drowning prevention: public schools: informational materials: swim lesson vouchers and swim lesson directory.

(1) Existing law authorizes specified drowning or injury prevention organizations (DIP organization) to provide informational materials, in electronic or hardcopy form, to a public school regarding specified topics relating to drowning prevention. Existing law requires a DIP organization that chooses to provide informational materials to provide, upon request by a public school, the informational materials in the 3 most commonly spoken languages associated with the population attending the school.

This bill would instead require a DIP organization that chooses to provide informational materials to provide, upon request by a public school, the informational materials in English and would encourage the

DIP organization to provide informational materials in the other most commonly spoken languages associated with the population attending the school. The bill would require a DIP organization that chooses to provide informational materials to a public school to provide those materials at no cost to the public school, *allow the school to offer copies of the materials to pupils and parents, and to provide written evidence to a school administrator that demonstrates that the informational materials provided by the DIP organization align with the drowning, drowning prevention, water safety, rescue, and swim skills lesson information found on the drowning prevention web page of the federal Centers for Disease Control and Prevention, as provided.* The bill also would require the State Department of Education to gather and make available on its internet website school-based water safety and drowning prevention education resources and curriculum, as provided. *The bill would authorize public schools to provide to their pupils those water safety informational materials identified by the department and provided by a DIP organization, as provided.*

(2) Existing law requires the State Department of Public Health to adopt and enforce regulations relating to public swimming pools, as defined.

This bill would establish the Swim Lesson Voucher and Swim Lesson Directory Development Plan Partnership for the purposes of increasing water safety in this state by offering vouchers for swim lessons at no cost to children under 18 years of age whose families have an income of no more than 250% of the federal poverty level and making it easier for parents, caregivers, and guardians to access swim lessons for their children, as provided. The bill would require the partnership to consist of no more than 10 members and be composed of representatives of California's local parks and recreation district leadership, as identified by the California Association of Recreation and Park Districts and appointed by the Governor, state agencies with experience in water safety or drowning prevention, as appointed by the Governor, and experts in drowning prevention identified by the Drowning Prevention Foundation and appointed by the Governor. The bill would require the partnership to, among other things, (A) develop model written agreements to establish a network of public and private swim lesson programs and swim lesson vendors that accept vouchers in exchange for providing swim lessons, (B) establish a model application method and eligibility criteria for swim lesson vouchers, (C) develop, in consultation with other organizations, a free and publicly accessible

online statewide directory of swim lesson programs, listed by county, and (D) make recommendations and an action plan to seek various contributors that will fund or match funds to cover the cost of the voucher programs and the development of the online statewide directory. The bill would require the partnership to provide directions and options for administering the voucher program and swim lesson directory through a combination of state and regional public or private partners. The bill would make implementation of these provisions contingent upon an appropriation for these purposes in the annual Budget Act or another statute or as otherwise provided.

Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The Legislature finds and declares all of the  
2 following:  
3 (a) In California, drowning is the leading cause of death for  
4 children 1 to 4 years of age, inclusive, the second leading cause  
5 of death for children 5 to 14 years of age, inclusive, and the third  
6 leading cause of death for teenagers and youth 15 to 24 years of  
7 age, inclusive.  
8 (b) Drowning can be prevented by increasing the knowledge of  
9 parents, caregivers, and pupils regarding water safety and  
10 competency in swimming skills. National and international research  
11 shows that water safety and swimming skills are up to 88 percent  
12 effective in preventing drowning.  
13 (c) A critical step in the statewide strategic plan to make  
14 drowning a rare and survivable event is to increase access to swim  
15 lessons to achieve an end goal of making everyone in California  
16 a swimmer and knowledgeable about drowning, drowning  
17 prevention, and water safety.  
18 (d) Partnering California's public schools with the state's many  
19 local, state, and national swim lesson programs and drowning  
20 prevention organizations provides a cost-effective means of  
21 reaching all California parents, guardians, caregivers, and children  
22 with lifesaving drowning prevention and water safety knowledge.  
23 (e) Drowning prevention classes, including swim lessons with  
24 certified instructors, ~~have been declared essential public health~~  
25 ~~services by the Secretary of California Health and Human Services~~

1 ~~and the State Department of Public Health because of the impact~~  
2 ~~that swim skills have on drowning prevention.~~ *increase swim skills*  
3 *and water competency. The development of swim skills and water*  
4 *competency is well established through evidence-based research*  
5 *to have an impact of reducing drowning and is declared an*  
6 *essential component of California's actions toward preventing*  
7 *drowning for all ages of children and adults.*

8 SEC. 2. Section 51139 is added to the Education Code,  
9 immediately preceding Section 51140, to read:

10 51139. For purposes of this article, all of the following  
11 definitions apply:

12 (a) "Public school" means a school operated by a school district,  
13 county office of education, or a charter school.

14 (b) "Water safety" means age-appropriate education intended  
15 (1) to promote safety in, on, and around bodies of water, including  
16 residential and public pools and spas, home water sources such as  
17 bathtubs, and open bodies of water such as lakes, rivers, canals,  
18 and the ocean, and (2) to reduce the risk of injury or drowning.

19 SEC. 3. Section 51140 of the Education Code is amended to  
20 read:

21 51140. (a) (1) A drowning or injury prevention organization  
22 may provide informational materials, in electronic or hardcopy  
23 form, to a public school that serves pupils in kindergarten or any  
24 of grades 1 to 12, inclusive, in accordance with the requirements  
25 of this article, regarding all of the following topics:

26 (A) The role that water safety education courses and swim  
27 lessons play in drowning prevention and saving lives.

28 (B) Local water safety and swimming skills programs in the  
29 county and communities served by the public school, including  
30 free or reduced-price programs, and how to access information  
31 about age-appropriate public or private water safety courses and  
32 swimming skills programs that result in a certificate indicating  
33 successful completion.

34 (C) Contact information of the organization to receive further  
35 water safety education information.

36 (2) The informational materials shall not be used to solicit  
37 funding or donations for the organization.

38 (3) It is the intent of the Legislature that public schools that  
39 receive information pursuant to paragraph (1) facilitate the sharing

1 of that information with the parents, caregivers, or guardians of  
2 pupils.

3 (b) (1) Upon receipt of the informational materials described  
4 in subdivision (a), a public school ~~may~~ *is authorized to* provide  
5 the informational materials to parents, legal guardians, or caregivers  
6 of pupils at the time the pupil enrolls at the public school and at  
7 the beginning of each school year, and are encouraged to provide  
8 the materials described in subdivision (a) during the first week of  
9 May in the year that the informational materials were provided.

10 (2) *In recognition of the importance of drowning as a public*  
11 *health issue impacting the lives of many pupils, public schools are*  
12 *authorized to, and are encouraged to, provide to their pupils water*  
13 *safety informational materials through multiple means, including,*  
14 *but not limited to, school assemblies, classroom instruction, or*  
15 *library programs. These informational materials shall meet the*  
16 *following criteria:*

17 (A) *Be age- and grade-appropriate.*

18 (B) *Be aligned with the information from the federal Centers*  
19 *for Disease Control and Prevention, as described in paragraph*  
20 *(1) of subdivision (a) of Section 51141, and identified by the*  
21 *department pursuant to Section 51900.1.*

22 (C) *Be provided for free by drowning prevention or children*  
23 *safety organizations.*

24 (c) Upon request by a public school, a drowning or injury  
25 prevention organization that elects to provide informational  
26 materials shall provide the informational materials in English and  
27 is encouraged to provide informational materials in the other most  
28 commonly spoken languages associated with the population  
29 attending the school based on available data from the department.

30 SEC. 4. Section 51141 is added to the Education Code,  
31 immediately following Section 51140, to read:

32 51141. (a) A drowning or injury prevention organization that  
33 provides informational materials to a public school pursuant to  
34 this article shall adhere to both of the following:

35 (1) Provide written evidence, in the form of a letter or document,  
36 either of which shall be no longer than one page, to a school  
37 administrator that demonstrates that the informational materials  
38 provided by the drowning or injury prevention organization align  
39 with the drowning, drowning prevention, water safety, rescue, and  
40 swim skills lesson information found on the drowning prevention

1 web page of the federal Centers for Disease Control and Prevention,  
2 which includes evidence-based water safety and drowning  
3 prevention information vetted through such authorities on drowning  
4 and drowning prevention as the American Academy of Pediatrics  
5 and the American Red Cross, among other sources.

6 (2) Provide informational materials at no cost to the public  
7 ~~school.~~ *school and allow the school to offer copies of the materials*  
8 *to pupils and parents and decide how the materials are made*  
9 *available.*

10 (b) A school administrator or school entity authorized by the  
11 school district or school, which also may include the school's  
12 parent-teacher association or an equivalent association, that engages  
13 with a drowning or injury prevention organization pursuant to this  
14 article shall not be responsible for confirming the drowning or  
15 injury prevention organization's compliance with paragraph (1)  
16 of subdivision (a).

17 SEC. 5. Section 51900.1 is added to the Education Code, to  
18 read:

19 51900.1. The department shall gather and make available on  
20 its internet website school-based water safety and drowning  
21 prevention education resources and curriculum that are age  
22 appropriate to pupils of different grade levels and adaptable for  
23 public school use. The department is encouraged to refer to the  
24 existing, freely accessible, age- and grade-appropriate curriculum  
25 that has been identified by the Drowning Prevention Foundation  
26 and that can be used in school settings.

27 SEC. 6. Section 116036 is added to the Health and Safety Code,  
28 to read:

29 116036. The Legislature finds and declares both of the  
30 following:

31 (a) In California, drowning is the leading cause of death for  
32 children 4 years of age and younger, the second leading cause of  
33 death for children 5 to 14 years of age, inclusive, and the third  
34 leading cause of death for teenagers and youth 15 to 24 years of  
35 age, inclusive.

36 (b) Swim instruction provided by persons who are qualified and  
37 certified pursuant to Section 116033 ~~and open to children of all~~  
38 ~~ages is an essential public health service.~~ *increases swim skills and*  
39 *water competency, the development of which is both well*  
40 *established through evidence-based research to have an impact*

1 *on reducing drowning and is declared an essential component of*  
2 *California's actions toward preventing drowning for all ages of*  
3 *children and adults.*

4 SEC. 7. Section 116064.3 is added to the Health and Safety  
5 Code, to read:

6 116064.3. (a) For purposes of this section, "partnership" means  
7 the Swim Lesson Voucher and Swim Lesson Directory  
8 Development Plan Partnership established pursuant to subdivision  
9 (b).

10 (b) The Swim Lesson Voucher and Swim Lesson Directory  
11 Development Plan Partnership is hereby established. The  
12 partnership shall develop guidelines for establishing a swim lesson  
13 voucher program and swim lesson directory in California, both of  
14 which may include initial pilot programs. The purpose of the swim  
15 lesson voucher program, and associated pilot programs, is to  
16 increase water safety by offering vouchers for swim lessons at no  
17 cost to children under 18 years of age whose families have an  
18 income of no more than 250 percent of the federal poverty level.  
19 The purpose of the swim lesson directory, and associated pilot  
20 programs, is to make it easier for parents, caregivers, and guardians  
21 to access swim lessons for their children at all ages.

22 (c) The partnership shall consist of no more than 10 members  
23 and shall be composed of representatives from the following  
24 entities:

25 (1) California's local parks and recreation district leadership  
26 with experience in water safety or drowning prevention, as  
27 identified by the California Association of Recreation and Park  
28 Districts and appointed by the Governor.

29 (2) State agencies with experience in water safety or drowning  
30 prevention, as appointed by the Governor.

31 (3) Up to four experts in drowning prevention identified by the  
32 Drowning Prevention Foundation and appointed by the Governor.

33 (d) The partnership shall do all of the following:

34 (1) Develop model written agreements to establish a network  
35 of public and private swim lesson programs and swim lesson  
36 vendors that accept vouchers in exchange for providing swim  
37 lessons. To the extent feasible, the model written agreements shall  
38 be established with at least one public or private swim lesson  
39 program or swim lesson vendor in each county, and at least one  
40 public or private swim lesson program or swim lesson vendor

1 within a five-mile radius of those metropolitan areas with  
2 populations of 50,000 or higher.

3 (2) Verify that public and private swim lesson programs and  
4 swim lesson vendors have adequate and appropriately trained  
5 instructors to provide swim lessons for a voucher recipient.

6 (3) Establish a model application method and eligibility criteria  
7 for swim lesson vouchers, including, but not limited to, all of the  
8 following:

9 (A) The voucher recipient shall be a California resident under  
10 18 years of age.

11 (B) The voucher recipient's family income shall not exceed 250  
12 percent of the federal poverty level, which may be shown by proof  
13 of receiving income-based federal or state benefits.

14 (C) Proof of the voucher recipient's residency in this state shall  
15 be required.

16 (4) Issue swim lesson vouchers for eligible children.

17 (5) Adopt guidelines necessary to administer the swim lesson  
18 voucher program.

19 (6) (A) In consultation with other California or national  
20 organizations with experience in developing a swim lesson  
21 directory, develop a free and publicly accessible online statewide  
22 directory of swim lesson programs, listed by county, including  
23 public and private programs that do not discriminate based on  
24 ethnicity, gender, economic status, or any other protected category.

25 (B) The directory shall include all of the following information  
26 about each program listed:

27 (i) The name of the program and the name of the parent  
28 organization, if applicable.

29 (ii) The contact information, including the telephone number,  
30 physical address, and internet website, if any.

31 (iii) The age groups the program serves.

32 (iv) The qualifications of the swim lesson instructors and the  
33 lifeguards.

34 (v) Information about signing up for a program.

35 (C) The directory may have, and the Legislature encourages the  
36 directory to have, links to local public and private transportation  
37 systems for pupils to use to travel to and from swim lessons,  
38 including vouchers, subsidies, or fee waivers provided by a local  
39 government or transportation agency.

1 (D) The directory shall be made available upon request from a  
2 local educational agency or school to share with parents or  
3 guardians and pupils and the directory may be shared by the local  
4 educational agency or school on its internet website.

5 (7) Make recommendations and an action plan to seek various  
6 contributors, including, but not limited to, the Drowning Prevention  
7 Foundation, other recognized foundations, corporate donors, or  
8 individuals that will fund or match funds to cover the cost of the  
9 voucher programs and the development of the directory described  
10 in paragraph (6).

11 (e) The partnership shall provide directions and options for  
12 administering the voucher program and swim lesson directory  
13 using a combination of state and regional public or private partners.

14 (f) The implementation of this section is contingent upon an  
15 appropriation for these purposes in the annual Budget Act or  
16 another statute or upon sufficient funds being provided by a  
17 foundation, corporation, or other funding benefactor to the  
18 partnership for these purposes.