

## CHAPTER 2026-38

### Senate Bill No. 428

An act relating to drowning prevention; amending s. 514.073, F.S.; revising the purpose of the Swimming Lesson Voucher Program; revising the age requirements for children receiving a voucher through the program; creating s. 383.3363, F.S.; requiring the Department of Health to develop educational materials on drowning prevention safety measures and safe bathing practices for specified purposes; specifying requirements for such materials; requiring hospitals, birth centers, and home birth providers to provide the educational materials to new parents and caregivers as part of their postpartum education and care; requiring childbirth educators to provide the informational materials to parents or caregivers receiving childbirth education; amending ss. 383.318 and 395.1053, F.S.; conforming provisions to changes made by the act; providing an effective date.

Be It Enacted by the Legislature of the State of Florida:

Section 1. Subsection (1) and paragraph (b) of subsection (2) of section 514.073, Florida Statutes, are amended to read:

514.073 Swimming Lesson Voucher Program.—

(1) There is created within the department the Swimming Lesson Voucher Program. The purpose of the program is to increase water safety and prevent drownings in this state by offering vouchers for swimming lessons at no cost to families with an income of no more than 200 percent of the federal poverty level who have one or more children between 1 and 7 4 years of age ~~or younger~~.

(2) The department shall do all of the following to implement the program:

(b) Establish a method for members of the public to apply for swimming lesson vouchers and for determining an applicant's eligibility. The department shall establish eligibility criteria necessary for a family to receive one or more vouchers from the program, including, but not limited to, the following:

1. The age of each child for whom a voucher is being sought, who must be between 1 and 7 ~~may be no more than 4~~ years of age.

2. The family income level, which may be up to 200 percent of the federal poverty level.

3. The family's address of residency in this state.

Section 2. Section 383.3363, Florida Statutes, is created to read:

383.3363 Education on drowning prevention safety measures and safe bathing practices.—

(1) The Department of Health shall develop educational materials on drowning prevention safety measures and safe bathing practices to be distributed to parents or caregivers as part of postpartum or childbirth education provided by hospitals, birth centers, home birth providers, and childbirth educators in this state. The materials must include, but need not be limited to, instruction on all of the following:

(a) The increased risk of drowning for infants and toddlers in bathtubs, pools, and other water sources, citing available data on such drownings.

(b) Water safety measures parents can employ to prevent drowning, emphasizing the importance of constant supervision of infants and children while they are around water and the benefits of early childhood swimming lessons and water competency programs as an added layer of protection from drowning.

(c) Additional safety hazards in the home setting and evidence-based safe bathing practices.

(2) Hospitals, birth centers, and home birth providers providing maternity, prenatal, and newborn services shall provide the educational materials developed under subsection (1) to the parents or caregivers of a newborn as part of their postpartum education and care.

(3) Childbirth educators shall provide the educational materials developed under subsection (1) to the parents or caregivers receiving childbirth education.

Section 3. Paragraph (j) is added to subsection (4) of section 383.318, Florida Statutes, to read:

383.318 Postpartum care for birth center clients and infants.—

(4) The birth center shall provide a postpartum evaluation and follow-up follow-up care that includes all of the following:

(j) Provision of the educational materials on drowning prevention safety measures and safe bathing practices developed by the Department of Health under s. 383.3363.

Section 4. Section 395.1053, Florida Statutes, is amended to read:

395.1053 Postpartum education.—A hospital that provides birthing services shall provide each parent with postpartum education on the care of newborns, which must include all of the following:

~~(1) incorporate Information on safe sleep practices and the possible causes of Sudden Unexpected Infant Death, into the hospital's postpartum instruction on the care of newborns and provide to each parent~~

(2) The informational pamphlet on infant and childhood eye and vision disorders created by the department pursuant to s. 383.14(3)(h).

(3) The educational materials on drowning prevention safety measures and safe bathing practices developed by the department under s. 383.3363.

Section 5. This act shall take effect July 1, 2026.

Approved by the Governor April 21, 2026.

Filed in Office Secretary of State April 21, 2026.