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3 Councilmember Robert C. White, Jr.  
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7 Councilmember Anita Bonds  
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9 A BILL  
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12 IN THE COUNCIL OF THE DISTRICT OF COLUMBIA  
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15 To amend the Child Development Facilities Regulation Act of 1998 to require children less than  
16 5 years of age in the care of a child development facility to wear a United States Coast  
17 Guard-approved personal flotation device when within 50 feet of an unsecured water  
18 facility, at least one or more feet in depth.

19 BE IT ENACTED BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, that this  
20 act may be cited as the "Child Water Safety Amendment Act of 2019".

21 Sec. 2. "The Child Development Facilities Regulation Act of 1998, effective April 13,  
22 1999 (D.C. Law 12-215; D.C. Official Code § 7-2031 *et seq.*), is amended by adding a new  
23 section 7a to read as follows:

24 "Sec. 7a. Requirements for personal flotation devices.

25 "(a) For the purposes of this section, the term:

"(1) "United States Coast Guard ("USCG") approved personal flotation device  
means a buoyant device designed to assist in keeping a person afloat in the water that has been  
approved by the USCG as meeting minimum safety standards acceptable for particular  
applications.

"(2) "Unsecured water facility" means a water source that is more than one foot in  
depth, that may be used by an infant, toddler, or child for the purpose of swimming, wading,

26 paddling, or other recreational aquatic activity, that is not enclosed by a child-proof fence at least  
27 5 feet in height.

28 “(b) When within 50 feet of an unsecured water facility that is one or more feet in depth,  
29 infants, toddlers, and persons less than 5 years of age who are under the care of a child  
30 development facility shall wear a USCG-approved personal floatation device that is of proper  
31 size for the wearer and in good condition.

32 “(c) Penalties.

33 “(1) If the Mayor determines that a violation has occurred, the Mayor shall  
34 impose a penalty on the child development facility. The penalty shall not exceed:

35 “(A) \$500 for the first violation in a 12-month period.

36 “(B) \$750 for the second violation in a 12-month period.

37 “(C) Suspension of the license of the child development facility for the  
38 third, and each subsequent violation in a 12-month period.

39 “(2) If payment of any amounts due under this section is not received on or before  
40 the due date, a penalty shall be added as the Mayor provides by rule.

41 “(3) Revenues collected through citations for violation of this act shall be  
42 deposited in the General Fund of the District of Columbia.”.

43 Sec. 3. Rulemaking.

44 Within 90 days of the effective date of this act, the Mayor shall promulgate rules to  
45 implement this act.

46 Sec. 4. Fiscal impact.

47 The Council adopts the fiscal impact statement in the committee report as the

48 fiscal impact statement required by section 4a of the General Legislative Procedures Act  
49 of 1975, approved October 16, 2006 (120 Stat. 2038; D.C. Official Code § 1-301.47a).

50 Sec. 5. Effective date.

51 This act shall take effect following approval by the Mayor (or in the event of veto  
52 by the Mayor, action by the Council to override the veto), a 30-day period of  
53 Congressional review as provided in section 602(c)(1) of the District of Columbia Home  
54 Rule Act, approved December 24, 1973 (87 Stat. 813; D.C. Official Code § 1-  
55 206.02(c)(1)), and publication in the District of Columbia Register.