

Assembly Concurrent Resolution No. 39

Adopted in Assembly April 8, 2021

Chief Clerk of the Assembly

Adopted in Senate April 29, 2021

Secretary of the Senate

This resolution was received by the Secretary of State this
____ day of _____, 2021, at _____
o'clock ____M.

Deputy Secretary of State

RESOLUTION CHAPTER _____

Assembly Concurrent Resolution No. 39—Relative to drowning prevention.

LEGISLATIVE COUNSEL'S DIGEST

ACR 39, Holden. Roxie's Wish: Drowning Prevention Week for Children.

This measure would proclaim every 3rd week of May as "Roxie's Wish: Drowning Prevention Week for Children" in order to encourage counties, cities, and school districts to support national goals relating to drowning prevention. The measure would also, among other things, support the goals and ideals of National Water Safety Month, support publicly acknowledging, with permission, the names of drowning victims and their families, and encourage counties, cities, and school districts to adopt codes and standards to prevent drowning and engage in and encourage public awareness campaigns.

WHEREAS, According to the 2020 report of the United States Consumer Product Safety Commission, there were estimated averages of:

(1) Three hundred seventy-nine pool- or spa-related nonfatal or fatal drowning injuries involving children younger than 15 years of age during each of the 2015 through 2019 calendar years, with 75 percent of those injuries involving children younger than 5 years of age; and

(2) Six thousand seven hundred pool- or spa-related nonfatal drowning injuries treated at a hospital emergency department during each of the 2017 through 2019 calendar years.

WHEREAS, According to the Centers for Disease Control and Prevention, drowning is:

(1) The leading cause of unintentional death in the United States among children one through four years of age;

(2) The second leading cause of unintentional death in the United States among children 5 through 14 years of age;

(3) The cause of death for a child in California every four days;

(4) The cause of emergency medical treatment for 1,500 children in California each year due to nonfatal submersions; and

WHEREAS, Black and Latino children drown at a rate of more than five times the rate of drowning of White children; and

WHEREAS, Drowning ranks fifth among the leading causes of unintentional injury or death in the United States, and every day, approximately 10 individuals die from unintentional drowning, 2 of whom are children 14 years of age or younger; and

WHEREAS, According to the State Department of Developmental Services, more than 700 children require state-funded medical care due to drowning; and

WHEREAS, The goal of national drowning prevention coalition efforts, including those of the American Academy of Pediatrics, the United States Consumer Product Safety Commission, and Safe Kids Worldwide, is to eliminate preventable drowning-related injuries and deaths in pools and open water venues; and

WHEREAS, The recreational water industry, as represented by the organizations involved in the National Water Safety Month Coalition, has contributed to that goal by:

(1) Developing, through codes and standards, safe public swimming facilities and residential pools and spas.

(2) Providing aquatic programs and public awareness relating to unintentional accidents in pools and open water venues; and

WHEREAS, Unintentional drowning deaths that occur each year, especially of children under five years of age, can be prevented by teaching children to swim, by using barriers and other devices that aid in preventing access to areas where drowning could occur, and especially by providing constant adult supervision without distraction; and

WHEREAS, Each public pool and spa in California should be in compliance with the Swimming Pool Safety Act (Article 2.5 (commencing with Section 115920) of Chapter 5 of Part 10 of Division 104 of the Health and Safety Code) that was signed into law in 1996; and

WHEREAS, Each residential pool and spa in the United States should be built and maintained in accordance with the guidelines described in the Swimming Pool Safety Act or the International Swimming Pool and Spa Code, which a state or locality may adopt through building codes and standards; and

WHEREAS, Two-thirds of drowning deaths occur during May through August; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That the Legislature does all of the following:

(1) Supports the goals and ideals of National Water Safety Month.

(2) Supports publicly acknowledging, with permission, the names of drowning victims and their families, and recognizes the families who, in their grief, choose to promote and educate the public on water safety.

(3) Proclaims every third week of May as “Roxie’s Wish: Drowning Prevention Week for Children” in order to encourage counties, cities, and school districts to support national goals.

(4) Encourages counties, cities, and school districts to do both of the following:

(A) Adopt codes and standards to prevent drowning.

(B) Engage in and encourage public awareness campaigns, including campaigns that educate individuals on all of the following:

(i) How to swim.

(ii) Layers of protection.

(iii) Adult supervision.

(iv) Rescue and first aid, including cardiopulmonary resuscitation (CPR).

(5) Recognizes the vital role that swimming and aquatic-related activities play in maintaining physical and mental health and enhancing quality of life.

(6) Understands the vital importance of communicating drowning prevention rules and programs to families and individuals of all ages, including owners of private pools, users of public swimming facilities and open water, and visitors to waterparks; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the author for appropriate distribution.

Attest:

Secretary of State