

HCS HB 1341 -- SWIMMING POOL LIABILITY

This bill establishes Ethan's Law which requires the owner of a for-profit, privately owned swimming pool or facility that charges an admission fee and has a capacity of less than 500 patrons to maintain adequate liability insurance in an amount of at least \$1 million per occurrence in the event of injury or death of a patron. An owner who violates the provisions of the bill will be subject to a fine of \$250 per day up to a maximum of \$10,000 and will not be permitted to remain in operation. An owner could also be responsible for any costs incurred by the state or county for enforcing the provisions regarding the failure to maintain adequate liability insurance. Any owner who violates the provisions of the bill by intentionally cancelling, terminating, or failing to renew his or her liability insurance will be guilty of a class A misdemeanor.

The Department of Public Safety with the assistance of local law enforcement agencies will implement and enforce the provisions of the bill. Insurance companies must notify the department if an owner terminates, cancels, or fails to renew his or her liability insurance.

The bill contains an emergency clause.