

# STATE OF NEW YORK

9888

## IN ASSEMBLY

April 26, 2024

Introduced by M. of A. McDONALD -- read once and referred to the Committee on Governmental Operations

AN ACT to amend the executive law, in relation to swimming pool enclosures

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Paragraph a of subdivision 14 of section 378 of the executive law, as separately amended by chapters 75 and 234 of the laws of 2 2007, is amended to read as follows:

3  
4 a. gates required to be provided in a swimming pool enclosure shall be 5 self-closing and self-latching [~~with the latch handle located within the 6 enclosure and at least forty inches above grade~~], and shall be securely 7 locked with a key, combination or other child proof lock sufficient to 8 prevent access to such swimming pool through such gate when such swim- 9 ming pool is not in use or supervised. Where the release mechanism of 10 the self-closing and self-latching gate is located less than fifty-four 11 inches above grade, the release mechanism shall be located within the 12 enclosure a minimum of three inches below the top of the gate and the 13 gate and enclosure shall have no opening greater than one-half inch 14 within eighteen inches of the release mechanism when the gate is in the 15 fully closed position;

16 § 2. This act shall take effect immediately.

EXPLANATION--Matter in italics (underscored) is new; matter in brackets [-] is old law to be omitted.

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