# STATE OF NEW YORK

7731

2023-2024 Regular Sessions

# IN SENATE

November 1, 2023

Introduced by Sen. GALLIVAN -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

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:**

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 2007, is amended to read as follows:

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

§ 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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