

House \_\_\_\_\_ Amendment NO. \_\_\_\_\_

Offered By

1 AMEND House Bill No. 2230, Page 2, Section 306.126, Line 22, by inserting immediately after  
2 said line the following:

3  
4 "306.166. Each vessel operated by the state water patrol shall be equipped with an  
5 automated external defibrillator and be staffed by at least one individual trained in the use of an  
6 automated external defibrillator. Such trained individual shall receive training by the American Red  
7 Cross or American Heart Association in cardiopulmonary resuscitation and the use of automated  
8 external defibrillators, or an equivalent nationally recognized course in defibrillator use and  
9 cardiopulmonary resuscitation. Each patrol officer assigned to the water patrol division shall be  
10 trained in rescuing victims of electrocution injuries around marinas and boat docks and the use of  
11 automated external defibrillators on such victims.

12 320.101. 1. This section and section 306.166 shall be known and may be cited as the  
13 "Alexandra and Brayden Anderson Electric Shock Drowning Prevention Act".

14 2. Beginning July 1, 2018, any individual or entity that owns any body of water in this state  
15 upon which any boat dock or marina that is equipped with electrical power is located shall ensure  
16 that each such boat dock or marina is in compliance with the National Fire Protection Association's  
17 2011 edition of the Fire Protection Standard for Marinas and Boatyards (NFPA 303), and with  
18 Articles 250 (Grounding and Bonding), 553 (Floating Buildings), and 555 (Marinas and Boatyards)  
19 of the 2011 edition of the National Electrical Code (NFPA 70: National Electrical Code (NEC),  
20 2011 Edition).

21 3. All individuals and entities subject to this section shall annually submit a statement that  
22 the boat dock or marina has passed a compliance inspection to the department of public safety  
23 containing all information required by the department.

24 4. Each individual or entity subject to this section shall establish a policy prohibiting  
25 swimming in or around any boat docks or marina subject to this section and shall post conspicuous  
26 signs located close to the boat dock or marina stating the swimming policy.

27 5. Violations of this section shall be subject to the following fines and penalties:

28 (1) For failure to ensure the compliance of boat docks and marinas as provided in  
29 subsection 2 of this section, a fine of two thousand five hundred dollars and the closure of such boat  
30 dock or marina, or the disconnection of electrical service to the boat dock or marina within ninety  
31 days of the date the boat dock or marina is not in compliance, or both;

32 (2) For any injury caused by the failure to ensure the compliance of boat docks and marinas  
33 as provided in subsection 2 of this section, in addition to any other penalty provided by law, a fine  
34 of five thousand dollars and a term of imprisonment not to exceed six months;

35 (3) For any death caused by the failure to ensure the compliance of boat docks and marinas  
36 as provided in subsection 2 of this section, in addition to any other penalty provided by law, a fine

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1 of fifty thousand dollars and a term of imprisonment not to exceed one year;

2 (4) For the failure to timely submit any statement of inspection required under subsection 3  
3 of this section, a fine of five hundred dollars and the closure of such boat dock or marina, or the  
4 disconnection of electrical service to the boat dock or marina within ninety days of the date of the  
5 failure to submit the inspection statement as required by the department of public safety, or both.

6 6. Nothing in this section shall be construed as a limit on any liability arising from any such  
7 individual's or entity's failure to comply with any provision of this section.

8 7. The department of public safety may promulgate rules to implement the provisions of this  
9 section. Any rule or portion of a rule, as that term is defined in section 536.010, that is created  
10 under the authority delegated in this section shall become effective only if it complies with and is  
11 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This section and  
12 chapter 536 are nonseverable, and if any of the powers vested with the general assembly pursuant to  
13 chapter 536 to review, to delay the effective date, or to disapprove and annul a rule are subsequently  
14 held unconstitutional, then the grant of rulemaking authority and any rule proposed or adopted after  
15 August 28, 2016, shall be invalid and void."; and

16  
17 Further amend said bill by amending the title, enacting clause, and intersectional references  
18 accordingly.  
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