

House _____ Amendment NO. _____

Offered By

1 AMEND House Bill No. 2230, Page 1, in the Title, Lines 2-3, by removing the words "boat
2 passengers" and inserting in lieu thereof the words "water safety"; and

3
4 Further amend said bill, Page 2, Section 306.126, Line 22, by inserting immediately after said line
5 the following:

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

15 320.101. 1. This section and section 306.166 shall be known and may be cited as the
16 "Alexandra and Brayden Anderson Electric Shock Drowning Prevention Act".

17 2. Beginning July 1, 2018, any individual or entity that owns any body of water in this state
18 upon which any boat dock or marina that is equipped with electrical power is located shall ensure
19 that each such boat dock or marina is in compliance with the National Fire Protection Association's
20 2011 edition of the Fire Protection Standard for Marinas and Boatyards (NFPA 303), and with
21 Articles 250 (Grounding and Bonding), 553 (Floating Buildings), and 555 (Marinas and Boatyards)
22 of the 2011 edition of the National Electrical Code (NFPA 70: National Electrical Code (NEC),
23 2011 Edition).

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

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

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

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

35 (2) For any injury 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 five thousand dollars and a term of imprisonment not to exceed six months;

2 (3) For any death caused by the failure to ensure the compliance of boat docks and marinas
3 as provided in subsection 2 of this section, in addition to any other penalty provided by law, a fine
4 of fifty thousand dollars and a term of imprisonment not to exceed one year;

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

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

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

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20 Further amend said bill by amending the title, enacting clause, and intersectional references
21 accordingly.
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