119TH CONGRESS
2D SESSION

S. _____

To amend the Internal Revenue Code of 1986 to treat qualified water competency and water safety lesson expenses as medical expenses.

IN THE SENATE OF THE UNITED STATES

Mr. JUSTICE (for himself and Mr. KELLY) introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To amend the Internal Revenue Code of 1986 to treat qualified water competency and water safety lesson expenses as medical expenses.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE.

This Act may be cited as the ''Safe Water Instruction Matters Act of 2026'' or the ''SWIM Act of 2026''.

SEC. 2. CERTAIN AMOUNTS PAID FOR WATER COMPETENCY AND LIFE SAVING WATER SAFETY LESSONS.

(a) IN GENERAL.—Section 213(d)(1) of the Internal Revenue Code of 1986 is amended—

(1) by striking ''or'' at the end of subparagraph (C),

(2) by striking the period at the end of subparagraph (D) and inserting '', or'', and

(3) by inserting after subparagraph (D) the following new subparagraph:

''(E) for qualified water competency and water safety lesson expenses.''.

(b) QUALIFIED WATER COMPETENCY AND WATER SAFETY LESSON EXPENSES.—Section 213(d) of the Internal Revenue Code of 1986 is amended by adding at the end the following new paragraph:

''(12) QUALIFIED WATER COMPETENCY AND WATER SAFETY LESSON EXPENSES.—

''(A) IN GENERAL.—The term 'qualified water competency and water safety lesson expenses' means amounts paid—

''(i) to participate in basic water safety and basic swimming instruction, or

''(ii) for equipment necessary for such participation.

''(B) OVERALL DOLLAR LIMITATION.—The aggregate amount treated as qualified water competency and water safety lesson expenses with respect to any taxpayer for any taxable

year shall not exceed $500 ($1,000 in the case of a joint return or a head of household (as defined in section 2(b)).

''(C) LIMITATIONS RELATED TO QUALIFIED WATER COMPETENCY AND WATER SAFETY LESSON EXPENSES.—Amounts paid for expenses described in subparagraph (A) shall be treated as qualified water competency and water safety lesson expenses only if—

''(i) in the case of amounts paid for instruction described in clause (i) of such subparagraph, such instruction—

''(I) is focused on water safety and swimming competency, and

''(II) is not intended for competitive swimming or training purposes, and

''(ii) in the case of the amount paid for any single item of equipment described in clause (ii) of such subparagraph, the amount paid does not exceed $100.''.

(c) EFFECTIVE DATE.—The amendments made by this section shall apply to taxable years beginning after the date of the enactment of this Act.