

By: Hilderbran

H.B. No. 2075

A BILL TO BE ENTITLED

AN ACT

relating to regulating health and safety conditions at youth camps.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 141.007, Health and Safety Code, is amended by adding Subsections (d), (e), and (f) to read as follows:

(d) An employee or agent of the department who enters a youth camp to investigate and inspect conditions shall:

(1) notify the person in charge of the camp of any violations as they are discovered; and

(2) allow the camp to correct the violations while the investigation and inspection is occurring.

(e) An employee or agent of the department performing an investigation and inspection under this section may not report a violation that is corrected during the investigation and inspection.

(f) A penalty may not be imposed on a youth camp for a violation that is corrected during an investigation and inspection under this section.

SECTION 2. Subsection (c), Section 141.016, Health and Safety Code, is amended to read as follows:

(c) The penalty may not exceed \$1,000 [~~\$2,000~~] a day for each violation.

SECTION 3. Subchapter C, Chapter 341, Health and Safety Code, is amended by adding Section 341.051 to read as follows:

1 Sec. 341.051. WATER SUPPLIES AT YOUTH CAMPS. The
2 commission shall execute a memorandum of understanding with the
3 department under which the department, in performing its functions
4 under Chapter 141, shall also perform appropriate functions of the
5 commission under this subchapter in relation to the regulation of
6 the water supply at a youth camp licensed under that chapter. Under
7 the memorandum of understanding, department employees shall
8 inspect the water supply of a youth camp in conjunction with
9 inspections conducted under Section 141.007 and shall communicate
10 information relating to any violation of applicable standards to
11 youth camp operators. The commission shall retain the authority to
12 enforce this subchapter.

13 SECTION 4. Subsections (d), (e), and (f), Section 141.007,
14 Health and Safety Code, as added by Section 1 of this Act, apply
15 only to an investigation and inspection of a youth camp that occurs
16 on or after the effective date of Section 1 of this Act. An
17 investigation and inspection that occurred before the effective
18 date of Section 1 of this Act is governed by the law in effect on the
19 date the investigation and inspection occurred, and the former law
20 is continued in effect for that purpose.

21 SECTION 5. This Act takes effect September 1, 2003, except
22 that Section 3 of this Act takes effect immediately if this Act
23 receives a vote of two-thirds of all the members elected to each
24 house, as provided by Section 39, Article III, Texas Constitution.
25 If this Act does not receive the vote necessary for immediate
26 effect, Section 3 of this Act takes effect September 1, 2003.