

By: Janek, Zaffirini

S.B. No. 990

A BILL TO BE ENTITLED

AN ACT

relating to a training and examination program on sexual abuse and child molestation for certain persons who work at youth camps.

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

SECTION 1. Chapter 141, Health and Safety Code, is amended by adding Sections 141.0095 and 141.0096 to read as follows:

Sec. 141.0095. TRAINING AND EXAMINATION PROGRAM. (a) A person holding a license issued under this chapter may not employ or accept the volunteer service of an individual for a position involving contact with campers at a youth camp unless:

(1) the individual submits to the person or the youth camp has on file documentation that verifies the individual within the preceding two years successfully completed the training and examination program required by this section; or

(2) the individual successfully completes the youth camp's training and examination program, which must be approved by the department as required by this section, during the individual's first workweek and the youth camp issues and files documentation verifying that fact.

(b) A person holding a license issued under this chapter must retain in the person's records a copy of the documentation required or issued under Subsection (a) for each employee or volunteer until the second anniversary of the examination date.

(c) A person applying for or holding an employee or

1 volunteer position involving contact with campers at a youth camp
2 must successfully complete the training and examination program on
3 sexual abuse and child molestation required by this section during
4 the applicable period described by Subsection (a).

5 (d) In accordance with this section and the criteria and
6 guidelines developed by the training advisory committee
7 established under Section 141.0096, the executive commissioner of
8 the Health and Human Services Commission by rule shall establish
9 criteria and guidelines for training and examination programs on
10 sexual abuse and child molestation. The department may approve
11 training and examination programs offered by trainers under
12 contract with youth camps or by online training organizations or
13 may approve programs offered in another format authorized by the
14 department.

15 (e) A training and examination program on sexual abuse and
16 child molestation approved by the department must include training
17 and an examination on:

18 (1) the definitions and effects of sexual abuse and
19 child molestation;

20 (2) the typical patterns of behavior and methods of
21 operation of child molesters and sex offenders that put children at
22 risk;

23 (3) the warning signs and symptoms associated with
24 sexual abuse or child molestation, recognition of the signs and
25 symptoms, and the recommended methods of reporting suspected abuse;
26 and

27 (4) the recommended rules and procedures for youth

1 camps to implement to address, reduce, prevent, and report
2 suspected sexual abuse or child molestation.

3 (f) The department may assess a fee in the amount necessary
4 to cover the costs of administering this section to each person that
5 applies for the department's approval of a training and examination
6 program on sexual abuse and child molestation under this section.

7 (g) The department at least every five years shall review
8 each training and examination program on sexual abuse and child
9 molestation approved by the department to ensure the program
10 continues to meet the criteria and guidelines established by rule
11 under this section.

12 Sec. 141.0096. TRAINING ADVISORY COMMITTEE. (a) The
13 department shall appoint a training advisory committee to advise
14 the department and the executive commissioner of the Health and
15 Human Services Commission in the development of criteria and
16 guidelines for the training and examination program on sexual abuse
17 and child molestation required under Section 141.0095 and to
18 perform any other functions requested by the department.

19 (b) The training advisory committee consists of not more
20 than nine members selected by the commissioner of state health
21 services as follows:

22 (1) at least two members who represent the general
23 public; and

24 (2) other members, who include experienced camping
25 professionals representing the camping communities of this state,
26 representatives of youth camps selected by the department, and
27 representatives of the Council on Sex Offender Treatment

1 established under Chapter 110, Occupations Code.

2 (c) The training advisory committee shall meet at the call
3 of the commissioner of state health services.

4 (d) The training advisory committee may elect a chair, vice
5 chair, and secretary from among its members and may adopt rules for
6 the conduct of its own activities.

7 (e) An advisory committee member may not receive
8 compensation or reimbursement of expenses for serving on the
9 advisory committee.

10 SECTION 2. (a) The commissioner of state health services
11 shall appoint the members of the training advisory committee
12 created under Section 141.0096, Health and Safety Code, as added by
13 this Act, as soon as practicable after the effective date of this
14 Act.

15 (b) Notwithstanding Section 141.0095, Health and Safety
16 Code, as added by this Act, a youth camp or an individual employed
17 by or volunteering at a youth camp is not required to comply with
18 Section 141.0095, Health and Safety Code, before June 1, 2006.

19 SECTION 3. This Act takes effect September 1, 2005.