

By: Murphy, Parker

H.B. No. 4372

Substitute the following for H.B. No. 4372:

By: Meza

C.S.H.B. No. 4372

A BILL TO BE ENTITLED

AN ACT

relating to youth camp abuse complaints and compliance orders.

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

SECTION 1. Chapter 141, Health and Safety Code, is amended by adding Sections 141.0051 and 141.0085 to read as follows:

Sec. 141.0051. LICENSE; CONSIDERATION OF CERTAIN CONVICTIONS. In making a determination on issuance, renewal, or revocation of a youth camp operator's license, the department shall consider whether the youth camp employs or formerly employed an individual who was convicted of an act of sexual abuse, as defined by Section 21.02, Penal Code, arising from the individual's employment with the camp.

Sec. 141.0085. REPORTS OF ABUSE; DUTIES OF YOUTH CAMP OPERATOR. (a) The executive commissioner by rule shall establish a procedure for the department to forward a report of alleged abuse of a camper that is received by the department to the Department of Family and Protective Services or another appropriate agency.

(b) If a law enforcement agency notifies a youth camp operator of the investigation or conviction of an individual who is employed or was formerly employed by the camp for an act of sexual abuse, as defined by Section 21.02, Penal Code, and the investigation or conviction arises from the individual's employment with the camp, the operator shall:

(1) immediately notify the department of the

1 investigation or conviction; and

2 (2) retain all records related to the investigation or
3 conviction until the department notifies the camp that the record
4 retention is no longer required.

5 SECTION 2. Chapter 141, Health and Safety Code, is amended
6 by adding Sections 141.0111 and 141.0112 to read as follows:

7 Sec. 141.0111. REQUIRED NOTICE ABOUT ABUSE REPORTING. (a)
8 A youth camp operator shall provide notice to the public regarding
9 the method for reporting to the department suspected abuse
10 occurring at the youth camp. The operator must provide the notice
11 by:

12 (1) posting a conspicuous sign in at least one
13 prominent location at the youth camp that is accessible to the
14 public;

15 (2) posting the information on the youth camp's
16 publicly accessible Internet website; and

17 (3) on request, making a written copy of the
18 information available to a person.

19 (b) The department shall prescribe the content of the notice
20 required by Subsection (a).

21 Sec. 141.0112. REQUIRED NOTICE ABOUT YOUTH CAMP COMPLAINTS
22 AND DISCIPLINARY ACTIONS. (a) The department shall post on the
23 department's Internet website each youth camp compliance order
24 issued by the department until at least the third anniversary of the
25 date the compliance order was finally adjudicated.

26 (b) A youth camp operator shall include on the camp's
27 publicly accessible Internet website a clearly marked direct link

1 to the web page on the department's Internet website on which the
2 department posts youth camp compliance orders issued by the
3 department.

4 SECTION 3. Not later than December 1, 2019, the Department
5 of State Health Services shall prescribe the content of the notice
6 to the public as required by Section 141.0111, Health and Safety
7 Code, as added by this Act.

8 SECTION 4. Notwithstanding Sections 141.0085, 141.0111,
9 and 141.0112, Health and Safety Code, as added by this Act, a youth
10 camp operator is not required to comply with those sections until
11 January 1, 2020.

12 SECTION 5. This Act takes effect September 1, 2019.