

1-1 By: Murphy, Parker (Senate Sponsor - Whitmire) H.B. No. 4372
1-2 (In the Senate - Received from the House May 13, 2019;
1-3 May 14, 2019, read first time and referred to Committee on Health &
1-4 Human Services; May 20, 2019, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; May 20, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
1-18 AN ACT

1-19 relating to youth camp abuse complaints and compliance orders.
1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
1-21 SECTION 1. Chapter 141, Health and Safety Code, is amended
1-22 by adding Sections 141.0051 and 141.0085 to read as follows:
1-23 Sec. 141.0051. LICENSE; CONSIDERATION OF CERTAIN
1-24 CONVICTIONS. In making a determination on issuance, renewal, or
1-25 revocation of a youth camp operator's license, the department shall
1-26 consider whether the youth camp employs or formerly employed an
1-27 individual who was convicted of an act of sexual abuse, as defined
1-28 by Section 21.02, Penal Code, arising from the individual's
1-29 employment with the camp.
1-30 Sec. 141.0085. REPORTS OF ABUSE; DUTIES OF YOUTH CAMP
1-31 OPERATOR. (a) The executive commissioner by rule shall establish a
1-32 procedure for the department to forward a report of alleged abuse of
1-33 a camper that is received by the department to the Department of
1-34 Family and Protective Services or another appropriate agency.
1-35 (b) If a law enforcement agency notifies a youth camp
1-36 operator of the investigation or conviction of an individual who is
1-37 employed or was formerly employed by the camp for an act of sexual
1-38 abuse, as defined by Section 21.02, Penal Code, and the
1-39 investigation or conviction arises from the individual's
1-40 employment with the camp, the operator shall:
1-41 (1) immediately notify the department of the
1-42 investigation or conviction; and
1-43 (2) retain all records related to the investigation or
1-44 conviction until the department notifies the camp that the record
1-45 retention is no longer required.
1-46 SECTION 2. Chapter 141, Health and Safety Code, is amended
1-47 by adding Sections 141.0111 and 141.0112 to read as follows:
1-48 Sec. 141.0111. REQUIRED NOTICE ABOUT ABUSE REPORTING. (a)
1-49 A youth camp operator shall provide notice to the public regarding
1-50 the method for reporting to the department suspected abuse
1-51 occurring at the youth camp. The operator must provide the notice
1-52 by:
1-53 (1) posting a conspicuous sign in at least one
1-54 prominent location at the youth camp that is accessible to the
1-55 public;
1-56 (2) posting the information on the youth camp's
1-57 publicly accessible Internet website; and
1-58 (3) on request, making a written copy of the
1-59 information available to a person.
1-60 (b) The department shall prescribe the content of the notice
1-61 required by Subsection (a).

2-1 Sec. 141.0112. REQUIRED NOTICE ABOUT YOUTH CAMP COMPLAINTS
2-2 AND DISCIPLINARY ACTIONS. (a) The department shall post on the
2-3 department's Internet website each youth camp compliance order
2-4 issued by the department until at least the third anniversary of the
2-5 date the compliance order was finally adjudicated.

2-6 (b) A youth camp operator shall include on the camp's
2-7 publicly accessible Internet website a clearly marked direct link
2-8 to the web page on the department's Internet website on which the
2-9 department posts youth camp compliance orders issued by the
2-10 department.

2-11 SECTION 3. Not later than December 1, 2019, the Department
2-12 of State Health Services shall prescribe the content of the notice
2-13 to the public as required by Section 141.0111, Health and Safety
2-14 Code, as added by this Act.

2-15 SECTION 4. Notwithstanding Sections 141.0085, 141.0111,
2-16 and 141.0112, Health and Safety Code, as added by this Act, a youth
2-17 camp operator is not required to comply with those sections until
2-18 January 1, 2020.

2-19 SECTION 5. This Act takes effect September 1, 2019.

2-20 * * * * *