

House Bill 4372
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 investigation or conviction; and

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

SENATE VERSION (IE)

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 an individual who was convicted of an act of sexual abuse, as defined by Section 21.02, Penal Code, that occurred at the camp. [FA1(1),FA2]

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 by the camp for an act of sexual abuse, as defined by Section 21.02, Penal Code, that occurred at the camp, the operator shall:

(1) immediately notify the department of the investigation or conviction; and

(2) retain all records related to the investigation or conviction until the department notifies the camp that the record retention is no longer required. [FA1(2)]

CONFERENCE

House Bill 4372
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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

Sec. 141.0111. REQUIRED NOTICE ABOUT ABUSE REPORTING. (a) A youth camp operator shall provide notice to the public regarding the method for reporting to the department suspected abuse occurring at the youth camp.

The operator must provide the notice by:

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

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

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

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

Sec. 141.0112. REQUIRED NOTICE ABOUT YOUTH CAMP COMPLAINTS AND DISCIPLINARY ACTIONS.

(a) The department shall post on the department's Internet website each youth camp compliance order issued by the department until at least the third anniversary of the date the compliance order was finally adjudicated.

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

SECTION 3. Not later than December 1, 2019, the Department of State Health Services shall prescribe the

SENATE VERSION (IE)

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

Sec. 141.0111. REQUIRED INFORMATION ABOUT ABUSE REPORTING. A youth camp operator shall develop and maintain a written policy regarding the method for reporting to the department suspected abuse occurring at the camp. The operator on request of any person shall provide a copy of the policy to the person. [FA1(3)]

Sec. 141.0112. REQUIRED NOTICE ABOUT YOUTH CAMP COMPLAINTS AND DISCIPLINARY ACTIONS.

(a) The department shall post on the department's Internet website each youth camp compliance order issued by the department until at least the third anniversary of the date the compliance order was finally adjudicated.

(b) A youth camp operator shall include on the camp's publicly accessible Internet website a clearly marked link to the youth camp program web page on the department's Internet website. [FA1(4)]

SECTION 3. Not later than December 1, 2019, the Department of State Health Services shall prescribe the content of the notice to the public as required by Section

CONFERENCE

House Bill 4372
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

content of the notice to the public as required by Section 141.0111, Health and Safety Code, as added by this Act.

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

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

SENATE VERSION (IE)

141.0111, Health and Safety Code, as added by this Act.
[Deleted by FA1(5)]

SECTION 4. Same as House version.

SECTION 5. Same as House version.

CONFERENCE