

By: Hickland

H.B. No. 248

A BILL TO BE ENTITLED

AN ACT

relating to campground emergency safety certification requirements; providing a civil penalty.

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

SECTION 1. Subtitle A, Title 9, Health and Safety Code, is amended by adding Chapter 762 to read as follows:

CHAPTER 762. CAMPGROUND SAFETY

Sec. 762.001. DEFINITIONS. In this chapter:

(1) "Campground" means a commercial property designed to provide cabins for transient overnight guest use or areas for locating recreational vehicles or tents for transient overnight guest use.

(2) "Campground operator" means a person who owns, operates, controls, or supervises a campground, regardless of profit.

(3) "Division" means the Texas Division of Emergency Management.

Sec. 762.002. EMERGENCY SAFETY CERTIFICATION REQUIRED. A campground operator may not operate a campground in this state unless the operator holds for the campground an emergency safety certification issued under this chapter and rules adopted under this chapter.

Sec. 762.003. EMERGENCY SAFETY CERTIFICATION PROGRAM AND STANDARDS. (a) The division shall establish an emergency safety

certification program for campgrounds.

(b) The division by rule shall prescribe the requirements for issuance of an emergency safety certification under the program. The rules must:

(1) require each campground operator to develop and implement an emergency preparedness plan and submit the plan to the division for approval; and

(2) prescribe:

(A) the information to be included in an emergency preparedness plan;

(B) the form and manner for a campground operator to submit the plan to the division for approval; and

(C) the procedure for correcting and resubmitting to the division a plan the division does not approve.

(c) An emergency preparedness plan must:

(1) require each cabin at the campground to be equipped with a device adequate to allow communication by campground guests during an emergency without regard to access to landline technologies or cell tower connectivity, including:

(A) portable satellite communications equipment;

or

(B) radios;

(2) require the campground operator to post in a conspicuous location at or near the entrance of each cabin a sign informing campground guests of the procedures for safely evacuating in the event of an emergency; and

(3) include any additional measures the division

1 considers necessary.

2 Sec. 762.004. CIVIL PENALTY. (a) An owner or operator of a
3 campground who fails to comply with this chapter is liable to this
4 state for a civil penalty of \$1,000 for each violation. Each day a
5 violation continues constitutes a separate violation.

6 (b) The attorney general may sue to collect the penalty and
7 may recover attorney's fees and costs incurred in bringing an
8 action under this section.

9 SECTION 2. Not later than March 1, 2026, the Texas Division
10 of Emergency Management shall adopt rules required by Chapter 762,
11 Health and Safety Code, as added by this Act.

12 SECTION 3. Notwithstanding Section 762.002, Health and
13 Safety Code, as added by this Act, a campground operator is not
14 required to hold an emergency safety certification for a campground
15 as required by that section until May 1, 2026.

16 SECTION 4. This Act takes effect on the 91st day after the
17 last day of the legislative session.