

## All Published Pre-filed Amendments for HB 1

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**Darby**

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Amendment

891577

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**The following amendment was  
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HOUSE OF REPRESENTATIVES

FLOOR AMENDMENT NO. \_\_\_\_\_

BY: DARBY

1 Amend H.B. No. 1 (house committee report) by striking all  
2 below the enacting clause and substituting the following:

3 SECTION 1. This Act may be cited as the Youth Camp Alert,  
4 Mitigation, Preparedness, and Emergency Response (Youth CAMPER)  
5 Act.

6 SECTION 2. Sections 141.001, 141.002, 141.0021, and  
7 141.0025, Health and Safety Code, are designated as Subchapter A,  
8 Chapter 141, Health and Safety Code, and a heading is added to  
9 Subchapter A to read as follows:

10 SUBCHAPTER A. GENERAL PROVISIONS

11 SECTION 3. Section 141.002, Health and Safety Code, is  
12 amended by adding Subdivision (4-a) to read as follows:

13 (4-a) "Resident youth camp operator" means a person  
14 who owns, operates, controls, or supervises a resident youth camp,  
15 regardless of profit.

16 SECTION 4. Sections 141.003, 141.0035, 141.004, 141.005,  
17 141.0051, 141.006, 141.007, 141.008, 141.0085, 141.009, 141.0095,  
18 141.010, 141.011, 141.0111, 141.0112, 141.012, 141.013, 141.014,  
19 141.015, 141.016, 141.017, 141.018, 141.019, and 141.020, Health  
20 and Safety Code, are designated as Subchapter B, Chapter 141,  
21 Health and Safety Code, and a heading is added to Subchapter B to  
22 read as follows:

23 SUBCHAPTER B. LICENSING AND REGULATION OF YOUTH CAMPS

24 SECTION 5. Subchapter B, Chapter 141, Health and Safety  
25 Code, is amended by adding Section 141.0052 to read as follows:

26 Sec. 141.0052. REQUIRED NOTICE FOR MODIFICATION OF RESIDENT  
27 YOUTH CAMP PROPERTY, STRUCTURES, OR ACTIVITIES. (a) A resident  
28 youth camp operator shall notify the department, in the form and  
29 manner prescribed by the department, of any modification to:

- 1           (1) the resident youth camp's property;  
2           (2) a structure located on the resident youth camp's  
3 property; or  
4           (3) any resident youth camp activities.

5           (b) On receiving notification of a modification described  
6 by Subsection (a), the department may require the resident youth  
7 camp operator to update the camp's emergency plan under Section  
8 141.053.

9           SECTION 6. Section 141.008, Health and Safety Code, is  
10 amended by adding Subsection (c) to read as follows:

11           (c) The department shall review the camper to counselor  
12 ratios for overnight stays at youth camps and provide to the  
13 executive commissioner recommendations regarding minimum camper to  
14 counselor ratios. The executive commissioner by rule shall  
15 establish minimum camper to counselor ratios for overnight stays at  
16 youth camps.

17           SECTION 7. Chapter 141, Health and Safety Code, is amended  
18 by adding Subchapter C to read as follows:

19           SUBCHAPTER C. RESIDENT YOUTH CAMP SAFETY

20           Sec. 141.051. SHORT TITLE. This subchapter may be cited as  
21 the Youth Camp Alert, Mitigation, Preparedness, and Emergency  
22 Response (Youth CAMPER) Act.

23           Sec. 141.052. DEFINITIONS. In this subchapter:

24           (1) "Emergency plan" means the written emergency plan  
25 required under Section 141.053.

26           (2) "Team" means the Resident Youth Camp Safety  
27 Multidisciplinary Team established under Section 141.057.

28           Sec. 141.053. EMERGENCY PLAN FOR RESIDENT YOUTH CAMP;  
29 STANDARDS; REQUIRED TRAINING; NOTIFICATION. (a) For each resident  
30 youth camp, the resident youth camp operator shall develop and  
31 implement a written emergency plan with procedures for responding

1 to an emergency event, including:

2 (1) a natural disaster;

3 (2) a lost camper;

4 (3) a fire;

5 (4) a transportation emergency;

6 (5) a severe illness;

7 (6) an epidemic;

8 (7) a severe injury;

9 (8) a serious accident;

10 (9) a fatality;

11 (10) an unauthorized or unknown individual present on  
12 the camp's premises;

13 (11) an aquatic emergency, if applicable; and

14 (12) any other emergency event prescribed by executive  
15 commissioner rule.

16 (b) The resident youth camp operator shall designate an  
17 emergency preparedness supervisor for the resident youth camp and  
18 include the designation in the camp's emergency plan.

19 (c) The resident youth camp operator shall:

20 (1) annually review the emergency plan and update the  
21 plan as necessary;

22 (2) annually submit the emergency plan to the  
23 department in the form and manner the department prescribes;

24 (3) make the emergency plan approved by the department  
25 available to each camper and provide the plan to each parent or  
26 legal guardian of the camper;

27 (4) provide to campers at the beginning of each camp  
28 session:

29 (A) developmentally appropriate instruction  
30 regarding the actions the camper is to perform during an emergency  
31 event; and

1                   (B) the name and contact information of the  
2 camp's designated emergency preparedness supervisor;

3                   (5) provide to the county or municipality in which the  
4 camp is primarily located and, if applicable, to the emergency  
5 services district that serves the county or municipality in which  
6 the camp is primarily located:

7                   (A) a copy of the emergency plan; and

8                   (B) a list of the campers, staff members, and  
9 volunteers occupying the camp during a camp session on or before the  
10 first day of the session; and

11                   (6) before the beginning of each camp session:

12                   (A) provide to each camp staff member and  
13 volunteer a copy of the camp's emergency plan and comprehensive  
14 training on the emergency plan that addresses each procedure  
15 included in the emergency plan as prescribed by executive  
16 commissioner rule;

17                   (B) instruct each camp staff member and volunteer  
18 on the procedures to follow during an emergency event; and

19                   (C) maintain in the camp's on-site  
20 administrative office records documenting the successful  
21 completion by each camp staff member and volunteer of the training  
22 required by this subdivision.

23                   (d) The emergency plan adopted under this section and the  
24 list of campers, staff members, and volunteers required to be  
25 provided under Subsection (c)(5) are confidential and not subject  
26 to disclosure under Chapter 552, Government Code.

27                   (e) The emergency plan developed under this section must  
28 comply with the minimum standards established by executive  
29 commissioner rule under Section 141.055 and must include specific  
30 procedures for campers, staff members, and volunteers of the  
31 resident youth camp to follow in an emergency event, including:

1           (1) sheltering in or evacuating from camp buildings  
2 and the camp;

3           (2) controlling vehicular traffic on the camp's  
4 premises; and

5           (3) notifying and communicating with the following  
6 entities during the emergency event, as necessary:

7                   (A) a local emergency medical services provider;

8                   (B) the municipal or volunteer fire department;

9                   (C) the county sheriff's office or municipal  
10 police department;

11                   (D) the office of emergency management of the  
12 county or municipality in which the resident youth camp is  
13 primarily located; and

14                   (E) the resident youth camp's administrative and  
15 medical services staff.

16           (f) The resident youth camp operator may coordinate with the  
17 office of emergency management of the county or municipality in  
18 which the resident youth camp is primarily located in developing  
19 the emergency plan under this section.

20           Sec. 141.054. DEPARTMENT REJECTION OF EMERGENCY PLAN;  
21 CORRECTIVE ACTION. (a) If the department determines a resident  
22 youth camp's submitted emergency plan does not meet the minimum  
23 standards prescribed by executive commissioner rule under Section  
24 141.055, the resident youth camp operator shall, in the form and  
25 manner prescribed by executive commissioner rule:

26                   (1) not later than the 10th day after the date the  
27 operator receives notice of the department's rejection, provide to  
28 the department a corrective action plan that details the actions  
29 the operator intends to perform to address each deficiency  
30 specified by the department in the camp's emergency plan; and

31                   (2) not later than the 30th day after the date the

1 operator receives notice of the department's rejection, revise and  
2 resubmit the camp's emergency plan.

3 (b) The department may provide recommendations for the  
4 resident youth camp operator to implement in the operator's annual  
5 update to the emergency plan.

6 Sec. 141.055. ADOPTION OF MINIMUM STANDARDS; RULES. The  
7 executive commissioner shall adopt rules to implement this  
8 subchapter. The rules must specify:

9 (1) the information required in an emergency plan,  
10 including:

11 (A) procedures for addressing an emergency event  
12 described by Section 141.053(a); and

13 (B) additional measures or alterations to camp  
14 operations to be implemented during heightened emergency events, as  
15 determined by special weather or hazard announcements;

16 (2) the minimum number of training hours required  
17 under Section 141.053(c)(6);

18 (3) the form and manner for submitting an emergency  
19 plan to the department; and

20 (4) the department's procedures for:

21 (A) determining whether an emergency plan meets  
22 the minimum standards prescribed by executive commissioner rule;  
23 and

24 (B) additional inspections required under  
25 Section 141.056 to ensure compliance with the approved emergency  
26 plan.

27 Sec. 141.056. ADDITIONAL INSPECTION REQUIRED; PARENTAL  
28 COMPLAINTS. (a) A resident youth camp operator shall include in a  
29 prominent place on the camp's publicly accessible Internet website  
30 a clearly marked link to the youth camp program web page on the  
31 department's Internet website for campers, parents, and camp staff



1 and volunteers to use to report the camp's noncompliance with this  
2 subchapter.

3 (b) The department shall investigate each complaint filed  
4 with the department for a resident youth camp to ensure the resident  
5 youth camp operator is properly implementing the approved emergency  
6 plan and the camp complies with this subchapter.

7 (c) A department investigation under this section must  
8 include an inspection to ensure the resident youth camp's  
9 compliance with this subchapter. The inspection shall be performed  
10 in the same manner as an inspection under Section 141.007.

11 Sec. 141.057. RESIDENT YOUTH CAMP SAFETY MULTIDISCIPLINARY  
12 TEAM. (a) The Resident Youth Camp Safety Multidisciplinary Team is  
13 created within the department and is composed of at least one  
14 representative from:

15 (1) the department;

16 (2) the Texas Division of Emergency Management;

17 (3) the Texas Department of Insurance State Fire  
18 Marshal's Office;

19 (4) the Parks and Wildlife Department;

20 (5) the Texas Water Development Board;

21 (6) the Texas A&M Forest Service; and

22 (7) the Department of Public Safety.

23 (b) The commissioner or the commissioner's designee shall  
24 serve as the chair of the team.

25 (c) The team shall meet regularly to develop proposed  
26 minimum standards for resident youth camps under this subchapter.  
27 The team shall present the proposed minimum standards to the  
28 executive commissioner as recommendations for the minimum  
29 standards adopted under Section 141.055.

30 Sec. 141.058. CIVIL PENALTY. (a) The attorney general may  
31 bring an action to impose a civil penalty against a resident youth

1 camp operator who violates this subchapter or a rule adopted under  
2 this subchapter in an amount not to exceed \$1,000 for each  
3 violation.

4 (b) Each day a violation continues is considered a separate  
5 violation for purposes of imposing a civil penalty under this  
6 section.

7 (c) The attorney general may recover reasonable expenses  
8 incurred in bringing an action under this section, including court  
9 costs, reasonable attorney's fees, investigative costs, witness  
10 fees, and deposition costs.

11 (d) A civil penalty collected under this section must be  
12 remitted to the department to offset department costs in  
13 administering this subchapter.

14 Sec. 141.059. DENIAL OR SUSPENSION OF LICENSE FOR  
15 NONCOMPLIANCE. (a) The department may not issue a license for a  
16 resident youth camp under Section 141.004 or renew a license for a  
17 resident youth camp under Section 141.005 if the resident youth  
18 camp operator is not in compliance with this subchapter or a rule  
19 adopted under this chapter.

20 (b) The department shall suspend a resident youth camp  
21 license issued by the department if the camp or resident youth camp  
22 operator is in violation of this subchapter. The department may  
23 reinstate the license only on or after the date the department  
24 determines the resident youth camp and the resident youth camp  
25 operator are in compliance with this subchapter.

26 Sec. 141.060. WAIVER NOT PERMITTED. Notwithstanding any  
27 other law, the department may not grant a waiver to a resident youth  
28 camp operator to exempt the operator from the requirements of this  
29 subchapter or penalties imposed under this subchapter.

30 Sec. 141.061. CONFLICT OF LAWS. In the event of a conflict  
31 between this subchapter and another provision of law relating to

1 licensing and regulation of resident youth camps, this subchapter  
2 controls.

3       SECTION 8. Not later than March 1, 2026, the executive  
4 commissioner of the Health and Human Services Commission shall  
5 adopt the rules required by Subchapter C, Chapter 141, Health and  
6 Safety Code, as added by this Act.

7       SECTION 9. Notwithstanding Subchapter C, Chapter 141,  
8 Health and Safety Code, as added by this Act, a resident youth camp  
9 operator is not required to submit an emergency plan to the  
10 Department of State Health Services until May 1, 2026.

11       SECTION 10. This Act takes effect immediately if it  
12 receives a vote of two-thirds of all the members elected to each  
13 house, as provided by Section 39, Article III, Texas Constitution.  
14 If this Act does not receive the vote necessary for immediate  
15 effect, this Act takes effect on the 91st day after the last day of  
16 the legislative session.