**BILL ANALYSIS**

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| Senate Research Center | H.B. 1 |
|  | By: Darby et al. (Perry) |
|  | Disaster Preparedness & Flooding, Select |
|  | 8/26/2025 |
|  | Engrossed |

**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The author of H.B. 1 informed the House Select Committee on Disaster Preparedness and Flooding that the July 4, 2025, flooding along the Guadalupe River that killed over 100 people, including more than two dozen young girls and counselors at Camp Mystic in Kerr County, exposed critical safety gaps in youth camp emergency preparedness. According to witness testimony provided to that committee, some camps in known flood-prone areas had no formal emergency plans, procedures, or training in place, leaving youth and staff unprepared for disaster. Furthermore, the bill author informed the committee that this issue is not isolated to Camp Mystic but is common among many Texas youth camps.

H.B. 1, the Youth Camp Alert, Mitigation, Preparedness, and Emergency Response (Youth CAMPER) Act, seeks to improve youth camp emergency preparedness by requiring all resident youth camp operators to develop, implement, and annually review written emergency plans for responding to specific emergency events, to provide a copy of the plans to applicable emergency services districts or counties and camp staff members and volunteers, and to provide comprehensive training and instruction to camp staff members and volunteers. The Youth CAMPER Act also provides for Department of State Health Services review and recommendations regarding such plans and for the attorney general to impose civil penalties for violations of the act.

H.B. 1 amends current law relating to youth camp and campground emergency preparedness, authorizes civil and other penalties, and makes appropriations.

**RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 6 (Section 141.008, Health and Safety Code), SECTION 7 (Section 141.009, Health and Safety Code), and SECTION 8 (Section 141.055, Health and Safety Code) of this bill.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Authorizes this Act to be cited as the Youth Camp Alert, Mitigation, Preparedness, and Emergency Response (Youth CAMPER) Act.

SECTION 2. Redesignates Sections 141.001, 141.002, 141.0021, and 141.0025, Health and Safety Code, as Subchapter A, Chapter 141, Health and Safety Code, and adds a heading to Subchapter A to read as follows:

SUBCHAPTER A. GENERAL PROVISIONS

SECTION 3. Amends Section 141.002, Health and Safety Code, by adding Subdivision (4-a) to define "resident youth camp operator."

SECTION 4. Redesignates Sections 141.003, 141.0035, 141.004, 141.005, 141.0051, 141.006, 141.007, 141.008, 141.0085, 141.009, 141.0095, 141.010, 141.011, 141.0111, 141.0112, 141.012, 141.013, 141.014, 141.015, 141.016, 141.017, 141.018, 141.019, and 141.020, Health and Safety Code, as Subchapter B, Chapter 141, Health and Safety Code, and adds a heading to Subchapter B to read as follows:

SUBCHAPTER B. LICENSING AND REGULATION OF YOUTH CAMPS

SECTION 5. Amends Subchapter B, Chapter 141, Health and Safety Code, by adding Sections 141.0031, 141.0052, and 141.0053, as follows:

Sec. 141.0031. PROHIBITED LICENSURE OF YOUTH CAMP WITHIN FLOODPLAIN. (a) Defines "cabin" and "floodplain."

(b) Prohibits the Department of State Health Services (DSHS) from issuing or renewing a youth camp license for a youth camp that operates one or more cabins located within a floodplain.

Sec. 141.0052. REQUIRED NOTICE FOR MODIFICATION OF RESIDENT YOUTH CAMP PROPERTY, STRUCTURES, OR ACTIVITIES. (a) Requires a resident youth camp operator to notify DSHS, in the form and manner prescribed by DSHS, of any modification to the resident youth camp's property, a structure located on the resident youth camp's property, or any resident youth camp activities.

(b) Authorizes DSHS, on receiving notification of a modification described by Subsection (a), to require the resident youth camp operator to update the camp's emergency plan under Section 141.053.

Sec. 141.0053. SAFE ACCESS TO YOUTH CAMPS. (a) Defines "low-water crossing."

(b) Prohibits DSHS, except as provided by Subsection (c), from issuing or renewing a youth camp license if the camp is located wholly or partly within a 100-year floodplain as determined by the most recent maps published by the Federal Emergency Management Agency and does not have safe ingress or egress by a motor vehicle without crossing a road's low-water crossing.

(c) Authorizes DSHS to grant a waiver from the prohibition of Subsection (b) to a youth camp that:

(1) was in operation before December 1, 2025; and

(2) includes in the camp's emergency plan under Section 141.053 strategies and methods the youth camp will use to mitigate the risks associated with low-water crossings.

(d) Authorizes the strategies and methods for mitigating risks associated with low-water crossings described by Subsection (c)(2) to include regular maintenance and repair or design changes to improve water drainage at the camp, structural bridge or roadway changes, including elevating low-water crossings, and post-construction flood mitigation strategies, including the installment at low-water crossings of automated gates or gauges.

SECTION 6. Amends Section 141.008, Health and Safety Code, by adding Subsection (c), as follows:

(c) Requires DSHS to review the camper to counselor ratios for overnight stays at youth camps and provide to the executive commissioner of the Health and Human Services Commission (executive commissioner) recommendations regarding minimum camper to counselor ratios. Requires the executive commissioner by rule to establish minimum camper to counselor ratios for overnight stays at youth camps.

SECTION 7. Amends Section 141.009, Health and Safety Code, as follows:

Sec. 141.009. STANDARDS. (a) Creates this subsection from existing text and makes no further changes.

(b) Requires the executive commissioner, in establishing health and safety standards under Subsection (a) (relating to requiring the executive commissioner by rule to establish health and safety standards for youth camps), by rule to require a youth camp to:

(1) post on or near all interior doors of each camp building that provides overnight accommodations to campers, at a height easily visible to campers and camp staff, an emergency evacuation and relocation map identifying:

(A) the shortest and easiest route for campers and camp staff from the building to a safe meeting point that provides shelter in an emergency;

(B) an alternative route from the building to the meeting point in the event the route described by Paragraph (A) is unavailable due to the emergency; and

(C) the location of emergency equipment; and

(2) provide instruction to all campers and camp staff before the first overnight stay of a camping session on the routes to the camp's safe meeting point, the location of the camp's emergency equipment, the location of the camp's emergency evacuation and relocation maps, and implementation and use of the emergency evacuation and relocation maps.

SECTION 8. Amends Chapter 141, Health and Safety Code, by adding Subchapter C, as follows:

SUBCHAPTER C. RESIDENT YOUTH CAMP SAFETY

Sec. 141.051. SHORT TITLE. Authorizes this subchapter to be cited as the Youth Camp Alert, Mitigation, Preparedness, and Emergency Response (Youth CAMPER) Act.

Sec. 141.052. DEFINITIONS. Defines "emergency plan" and "team."

Sec. 141.053. EMERGENCY PLAN FOR RESIDENT YOUTH CAMP; STANDARDS; REQUIRED TRAINING; NOTIFICATION. (a) Requires the resident youth camp operator, for each resident youth camp, to develop and implement a written emergency plan with procedures for responding to certain emergency events.

(b) Requires the resident youth camp operator to designate an emergency preparedness supervisor for the resident youth camp and include the designation in the camp's emergency plan.

(c) Requires the resident youth camp operator to:

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

(2) annually submit the emergency plan to DSHS in the form and manner DSHS prescribes;

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

(4) provide to campers at the beginning of each camp session developmentally appropriate instruction regarding the actions the camper is to perform during an emergency event and the name and contact information of the camp's designated emergency preparedness supervisor;

(5) provide to the county or municipality in which the camp is primarily located and, if applicable, to the emergency services district that serves the county or municipality in which the camp is primarily located a copy of the emergency plan and a list of the campers, staff members, and volunteers occupying the camp during a camp session on or before the first day of the session;

(6) before the beginning of each camp session, provide to each camp staff member and volunteer a copy of the camp's emergency plan and comprehensive training on the emergency plan that addresses each procedure included in the emergency plan as prescribed by executive commissioner rule, instruct each camp staff member and volunteer on the procedures to follow during an emergency event, and maintain in the camp's on-site administrative office records documenting the successful completion by each camp staff member and volunteer of the training required by this subdivision; and

(7) for a resident youth camp located wholly or partly within a floodplain, before the beginning of each camp session, provide written notice to the parent or legal guardian of each camper of the camp's location within the floodplain and the risk of flooding at the camp and ensure the parent or legal guardian signs and submits to the operator a statement acknowledging receipt of the notice.

(d) Provides that the emergency plan adopted under this section and the list of campers, staff members, and volunteers required to be provided under Subsection (c)(5) are confidential and not subject to disclosure under Chapter 552 (Public Information), Government Code.

(e) Requires that the emergency plan developed under this section comply with the minimum standards established by executive commissioner rule under Section 141.055 and include certain specific procedures for campers, staff members, and volunteers of the resident youth camp to follow in an emergency event.

(f) Authorizes the resident youth camp operator to coordinate with the office of emergency management of the county or municipality in which the resident youth camp is primarily located in developing the emergency plan under this section.

Sec. 141.054. DEPARTMENT REJECTION OF EMERGENCY PLAN; CORRECTIVE ACTION. (a) Requires the resident youth camp operator, if DSHS determines a resident youth camp's submitted emergency plan does not meet the minimum standards prescribed by executive commissioner rule under Section 141.055, in the form and manner prescribed by executive commissioner rule, to:

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

(2) not later than the 30th day after the date the operator receives notice of DSHS's rejection, revise and resubmit the camp's emergency plan.

(b) Authorizes DSHS to provide recommendations for the resident youth camp operator to implement in the operator's annual update to the emergency plan.

Sec. 141.055. ADOPTION OF MINIMUM STANDARDS; RULES. Requires the executive commissioner to adopt rules to implement this subchapter. Requires that the rules specify:

(1) the information required in an emergency plan, including procedures for addressing an emergency event described by Section 141.053(a) and additional measures or alterations to camp operations to be implemented during heightened emergency events, as determined by special weather or hazard announcements;

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

(3) the form and manner for submitting an emergency plan to DSHS; and

(4) DSHS's procedures for determining whether an emergency plan meets the minimum standards prescribed by executive commissioner rule and additional inspections required under Section 141.056 to ensure compliance with the approved emergency plan.

Sec. 141.056. ADDITIONAL INSPECTION REQUIRED; PARENTAL COMPLAINTS. (a) Requires a resident youth camp operator to include in a prominent place on the camp's publicly accessible Internet website a clearly marked link to the youth camp program web page on DSHS's Internet website for campers, parents, and camp staff and volunteers to use to report the camp's noncompliance with this subchapter.

(b) Requires DSHS to investigate each complaint filed with DSHS for a resident youth camp to ensure the resident youth camp operator is properly implementing the approved emergency plan and the camp complies with this subchapter.

(c) Requires that a DSHS investigation under this section include an inspection to ensure the resident youth camp's compliance with this subchapter. Requires that the inspection be performed in the same manner as an inspection under Section 141.007 (Inspections).

Sec. 141.057. RESIDENT YOUTH CAMP SAFETY MULTIDISCIPLINARY TEAM. (a) Provides that the Resident Youth Camp Safety Multidisciplinary Team (team) is created within DSHS and is composed of at least one representative from certain entities.

(b) Requires the commissioner of state health services (commissioner) or the commissioner's designee to serve as the chair of the team.

(c) Requires the team to meet regularly to develop proposed minimum standards for resident youth camps under this subchapter. Requires the team to present the proposed minimum standards to the executive commissioner as recommendations for the minimum standards adopted under Section 141.055.

Sec. 141.058. CIVIL PENALTY. (a) Authorizes the attorney general to bring an action to impose a civil penalty against a resident youth camp operator who violates this subchapter or a rule adopted under this subchapter in an amount not to exceed $1,000 for each violation.

(b) Provides that each day a violation continues is considered a separate violation for purposes of imposing a civil penalty under this section.

(c) Authorizes the attorney general to recover reasonable expenses incurred in bringing an action under this section, including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition costs.

(d) Requires that a civil penalty collected under this section be remitted to DSHS to offset DSHS costs in administering this subchapter.

Sec. 141.059. DENIAL OR SUSPENSION OF LICENSE FOR NONCOMPLIANCE. (a) Prohibits DSHS from issuing a license for a resident youth camp under Section 141.004 (License Application and Issuance) or renewing a license for a resident youth camp under Section 141.005 (License Renewal) if the resident youth camp operator is not in compliance with this subchapter or a rule adopted under Chapter 141 (Youth Camps).

(b) Requires DSHS to suspend a resident youth camp license issued by DSHS if the camp or resident youth camp operator is in violation of this subchapter. Provides that DSHS is authorized to reinstate the license only on or after the date DSHS determines the resident youth camp and the resident youth camp operator are in compliance with this subchapter.

Sec. 141.060. WAIVER NOT PERMITTED. Prohibits DSHS, notwithstanding any other law, from granting a waiver to a resident youth camp operator to exempt the operator from the requirements of this subchapter or penalties imposed under this subchapter.

Sec. 141.061. CONFLICT OF LAWS. Provides that, in the event of a conflict between this subchapter and another provision of law relating to licensing and regulation of resident youth camps, this subchapter controls.

SECTION 9. Requires the executive commissioner, not later than March 1, 2026, to adopt the rules required by Subchapter C, Chapter 141, Health and Safety Code, as added by this Act.

SECTION 10. Provides that, notwithstanding Subchapter C, Chapter 141, Health and Safety Code, as added by this Act, a resident youth camp operator is not required to submit an emergency plan to DSHS until May 1, 2026.

SECTION 11. Requires the executive commissioner, as soon as practicable after the effective date of this Act, to adopt rules necessary to implement Section 141.009, Health and Safety Code, as amended by this Act.

SECTION 12. (a) Provides that the amount of $2,594,265 is appropriated from the economic stabilization fund for use during the two-year period beginning on the effective date of this Act, and the amount of $2,484,726 is appropriated from the general revenue fund for use during the state fiscal year beginning September 1, 2026, to DSHS to implement the provisions of this legislation. Requires DSHS to adjust the amount DSHS sets for license fees under Section 141.0035 (License Fees), Health and Safety Code, as necessary to recover the costs of the appropriations made under this subsection.

(b) Authorizes DSHS, during the state fiscal biennium beginning September 1, 2025, in addition to the capital budget authority other law grants to DSHS during that period, to use $500,000 in capital budget authority for the appropriations made by Subsection (a) of this section, if any.

(c) Authorizes DSHS, during the state fiscal biennium beginning September 1, 2025, in addition to the number of full-time equivalent (FTE) employees other law authorizes DSHS to employ during that period, to employ 16.0 FTE employees out of money appropriated by Subsection (a) of this section, if any.

SECTION 13. (a) Effective date, except as provided by Subsections (b) and (c) of this section: upon passage or the 91st day after the last day of the legislative session.

(b) Effective date, Section 12 of this Act, making an appropriation to DSHS, subject to Subsection (c) of this section: the earliest date the section is authorized to take effect under Section 14 (Approval or Veto of Bills; Return and Reconsideration; Failure to Return; Veto of Items of Appropriation), Article IV (Executive Department), Texas Constitution, or September 1, 2025.

(c) Provides that Section 12 of this Act takes effect only if this Act receives a two-thirds vote of all the members elected to each house.