|  |
| --- |
| BILL ANALYSIS |

|  |
| --- |
| C.S.S.B. 1 |
| By: Perry |
| Disaster Preparedness & Flooding, Select |
| Committee Report (Substituted) |

|  |
| --- |
| **BACKGROUND AND PURPOSE** The bill sponsor has informed the committee 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, has exposed critical safety gaps in youth camp emergency preparedness. According to witness testimony provided to the House and Senate Select Committees on Disaster Preparedness and Flooding, 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 sponsor has informed the committee that this issue is not isolated to Camp Mystic but is common among many Texas campgrounds. C.S.S.B. 1, the Heaven's 27 Camp Safety Act, seeks to improve campground emergency preparedness by providing for basic campground safety requirements, including the development and implementation of emergency evacuation plans for natural disasters and the installation of emergency rooftop access ladders for cabins in a floodplain. The bill additionally sets out heightened safety provisions specific to youth camps, including a prohibition against issuing or renewing licenses for certain youth camps that operate cabins in a floodplain, requirements for a youth camp operator to develop procedures for additional scenarios in its emergency plan and for communicating with emergency services personnel and other applicable individuals, requirements for receiving and providing emergency alerts, and safety training and orientation requirements for camp staff members and campers, respectively.  |
| **CRIMINAL JUSTICE IMPACT**It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision. |
| **RULEMAKING AUTHORITY** It is the committee's opinion that rulemaking authority is expressly granted to the executive commissioner of the Health and Human Services Commission in SECTION 4 of this bill. |
| **ANALYSIS** C.S.S.B. 1 amends the Health and Safety Code to set out provisions relating to campground safety and to revise provisions of the Texas Youth Camp Safety and Health Act. **Campground Safety**Floodplain Safety RequirementsC.S.S.B. 1 requires a campground operator to do the following:* install and maintain in each campground cabin located within the floodplain an emergency ladder capable of providing access to the cabin's roof;
* develop an emergency evacuation plan for the following scenarios:
	+ evacuating on issuance of a flash flood or flood warning campground occupants who are at a campground area within the floodplain;
	+ evacuating campground occupants on issuance of an evacuation order by the emergency management director or coordinator designated under applicable state law for the county or, if applicable, the municipality in which the campground is located, due to a wildfire, hurricane, or other disaster; and
	+ sheltering campground occupants in place on issuance of a tornado warning or an order to shelter in place issued by the emergency management director or coordinator for the county or municipality, as applicable;
* implement the applicable emergency evacuation plan on issuance by the National Weather Service of a flash flood or flood warning or a tornado warning for an area of the campground; and
* send a copy of an emergency evacuation plan developed under these provisions to the designated emergency management director or coordinator for the county and, as applicable, the municipality.

The bill establishes that an emergency plan submitted to, received by, or accessed by an applicable emergency management director or coordinator or any governmental entity under these provisions is confidential and not subject to disclosure under state public information law. Fire Protection StandardsC.S.S.B. 1 requires a campground to comply with applicable provisions of the National Fire Protection Association (NFPA) 1194, Standard for Recreational Vehicle Parks and Campgrounds, 2021 Edition. The bill limits the authority of a governmental entity to adopt a policy, rule, ordinance, or order to regulate environmental health and sanitation, electrical distribution system safety, liquefied petroleum gas storage and dispensing safety, or fire protection on the policy, rule, ordinance, or order not imposing standards more stringent than such NFPA standards. The bill's fire protection provisions do not apply to a campground owned or controlled by a governmental entity.DefinitionsC.S.S.B. 1 defines the following terms for purposes of the bill's provisions relating to campground safety:* "cabin" as a structure used to provide temporary sleeping quarters for transient overnight guests;
* "campground" as, regardless of profit, a commercial property designed to provide cabins for transient overnight guest use or a recreational vehicle park, as defined by Water Code provisions relating to municipal rates for such parks;
* "campground operator" as a person who owns, operates, controls, or supervises a campground, regardless of profit;
* "floodplain" as any area within a 100-year floodplain identified by FEMA under the National Flood Insurance Act of 1968, including any area removed from the 100-year floodplain by a letter of map amendment, a letter of map revision based on fill, or a substantially similar administrative process conducted by FEMA; and
* "governmental entity" as the state or a state agency or political subdivision of the state.

**Texas Youth Camp Safety and Health Act**License RenewalC.S.S.B. 1 requires a person holding a license issued under the Texas Youth Camp Safety and Health Act to submit a renewal application not later than the 30th day after the date the person does one of the following:* alters the boundaries of a youth camp operated by the person;
* completes construction of one or more new cabins located on the premises of the camp; or
* completes any renovation to one or more existing cabins located on the premises of the camp that changes the number of beds in an affected cabin or alters the method of ingress or egress to an affected cabin.

Prohibited Licensure of Youth Camps Within FloodplainC.S.S.B. 1 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 unless one of the following apply:* each cabin location within a floodplain is a result of the cabin's proximity to a lake, pond, or other still body of water that is dammed or is not connected to a stream, river, or other watercourse; or
* each cabin is at least 1,000 feet from a floodway.

Online Youth Camp Registry The bill requires DSHS to post, maintain, and update on the DSHS website a list of each youth camp with an active license issued under the Texas Youth Camp Safety and Health Act.Additional Health and Safety Standards; Emergency PlanC.S.S.B. 1 requires the executive commissioner of the Health and Human Services Commission (HHSC) by rule, as part of the health and safety standards established under the Texas Youth Camp Safety and Health Act, to make applicable to a youth camp the campground safety requirements established under the bill's provisions in the same manner as those requirements apply to a campground. The bill requires the executive commissioner by rule to require a youth camp operator in the emergency plan the operator develops for a youth camp to do the following:* specify muster zones for campers and camp staff to gather in an emergency event that requires evacuation from any location within the premises of the camp;
* establish procedures for responding to an emergency event, other than an event addressed by the bill's provisions relating to campground safety, including the following:
	+ a lost camper;
	+ a fire on the premises of the camp;
	+ a severe injury, severe illness, serious accident, or death of one or more campers, visitors, camp staff, or camp volunteers that occurs either on camp premises or while under the supervision of camp staff;
	+ an aquatic emergency if the camp borders a watercourse, lake, pond, or any other body of water;
	+ an epidemic;
	+ an unauthorized or unknown individual present on the camp's premises;
	+ a transportation emergency; and
	+ any other natural disaster or emergency event required under DSHS rules;
* establish procedures to identify and account for each camper affected by the emergency event;
* establish procedures to notify and communicate with the following:
	+ local emergency management services, including the emergency management director or coordinator designated under applicable state law by the political subdivision within which the camp is located;
	+ camp administrative and medical services staff; and
	+ the parents or legal guardians of each camper identified as affected by the emergency event; and
* designate a camp emergency preparedness coordinator.

C.S.S.B. 1 requires the executive commissioner by rule to require a youth camp operator to do the following at each youth camp the operator operates:* maintain an operable radio capable of providing real-time weather alerts issued by the National Weather Service or a similar professional weather service at the camp;
* install and maintain at the camp an emergency warning system that is capable of alerting all campers and camp occupants of an emergency and that includes a public address system operable without reliance on an Internet connection;
* monitor safety alerts issued:
	+ by the National Weather Service or a similar professional weather service; and
	+ by local river authorities, if applicable to the camp, or through other local emergency notification systems; and
* certify the operator's compliance with these requirements.

C.S.S.B. 1 requires a youth camp operator to do the following with respect to a youth camp's emergency plan:* in developing a youth camp's emergency plan, annually submit the initial or updated plan to DSHS for approval in the form and manner DSHS prescribes;
* if DSHS determines that a youth camp's submitted emergency plan does not meet the minimum standards prescribed by DSHS rules, revise and resubmit the plan not later than the 45th day after the date the operator receives notice from DSHS of the plan's deficiencies;
* include any updated youth camp emergency plan as an attachment to each application to renew the operator's license under the Texas Youth Camp Safety and Health Act; and
* not later than the 10th business day following the date DSHS approves a youth camp's emergency plan or revised emergency plan, as applicable, to provide a copy of the plan to the designated emergency management director or coordinator for the county and, as applicable, the municipality.

The bill authorizes a youth camp operator, in developing a youth camp's emergency plan, to consult with an applicable county or municipal emergency management director or coordinator. The bill requires DSHS to store in a digital database each emergency plan submitted under these provisions or the bill's provisions relating to campground safety and provide access to that database to the Texas Division of Emergency Management (TDEM) and each member of the Youth Camp Safety Multidisciplinary Team created under a specific provision. The bill requires a youth camp operator to do the following:* provide the most recent version of a youth camp's emergency plan submitted under these provisions to the parent or legal guardian of a camper who is participating in a camp session or of a prospective camper who is registered to participate in a future camp session;
* notify the parent or legal guardian of such a camper or prospective camper if any area of the camp is located within a floodplain;
* ensure the parent or legal guardian signs and submits to the operator a statement acknowledging receipt of the notice;
* conspicuously post in each cabin on the youth camp premises the proper evacuation route described in the youth camp's emergency plan; and
* ensure each evacuation route on the camp premises is illuminated at night.

The bill requires the youth camp operator or a youth camp staff member, not more than 48 hours after each youth camp session begins, to conduct a mandatory safety orientation that does the following:* notifies each camper of the camp's boundaries and any hazards present on the camp premises;
* instructs each camper on behavioral expectations in an emergency event; and
* provides each camper developmentally appropriate instruction on the appropriate actions and procedures to follow in an emergency event, in accordance with the camp's emergency plan required under the bill.

C.S.S.B. 1 requires a youth camp operator to do the following at least once a year:* provide each youth camp staff member and volunteer with a copy of the camp's most recent emergency plan;
* ensure each staff member and volunteer successfully completes training on the camp's emergency plan in compliance with any minimum standards and required hours established by DSHS rule;
* instruct each staff member and volunteer on the proper procedures to follow in an emergency event under the plan; and
* maintain written records documenting each staff member's and volunteer's successful completion of the training required under these provisions.

C.S.S.B. 1 prohibits DSHS from granting a waiver from a requirement prescribed under the bill's provisions relating to campground safety or additional health and safety standards for youth camps. The bill establishes that an emergency plan submitted to, received by, or accessed by DSHS, TDEM, an emergency management director or coordinator designated under applicable state law, or any other governmental entity under those provisions regarding additional health and safety standards is confidential and not subject to disclosure under state public information law.C.S.S.B. 1 requires the executive commissioner, not later than January 1, 2026, to adopt the rules required under the provisions regarding additional health and safety standards for youth camps and establishes that a youth camp operator is not required to submit a youth camp emergency plan to DSHS until April 1, 2026.Redundant Internet Connections RequiredC.S.S.B. 1 requires a youth camp operator to provide and maintain the following for a youth camp:* Internet services through a broadband service, defined by reference to Government Code provisions relating to the broadband development office within the office of the comptroller of public accounts, that connects to the Internet using end-to-end fiber optic facilities; and
* a secondary Internet connection through a broadband service distinct from the previously described service.

Removed Requirements C.S.S.B. 1 repeals the requirement for DSHS, before the executive commissioner adopts or amends a rule relating to the licensing fee for obtaining or renewing a license under the Texas Youth Camp Safety and Health Act, to solicit comments and information from the operators of affected youth camps and allow affected youth camp operators the opportunity to meet with appropriate DSHS staff who are involved with the rulemaking process. Additionally, the bill removes the requirement for DSHS, in developing the rules to be adopted by the executive commissioner to implement that act, to consult parents, youth camp operators, and appropriate public and private officials and organizations.DefinitionsC.S.S.B. 1 defines the following terms for purposes of the Texas Youth Camp Safety and Health Act:* "cabin" as a structure used to provide temporary sleeping quarters for campers;
* "floodplain" by reference to the bill's provisions relating to campground safety;
* "floodway" as an area identified on the most recent flood hazard map published by FEMA under the National Flood Insurance Act of 1968 as a regulatory floodway; and
* "governmental entity" as the state or a state agency or political subdivision of the state.

**Repealed Provision**C.S.S.B. 1 repeals Section 141.0035(b), Health and Safety Code. |
| **EFFECTIVE DATE** On passage, or, if the bill does not receive the necessary vote, the 91st day after the last day of the legislative session. |
| **COMPARISON OF SENATE ENGROSSED AND SUBSTITUTE**While C.S.S.B. 1 may differ from the engrossed in minor or nonsubstantive ways, the following summarizes the substantial differences between the engrossed and committee substitute versions of the bill.The substitute revises the requirement of the engrossed for the executive commissioner by rule to require a youth camp operator in the emergency plan the operator develops for a youth camp to establish procedures for responding to an emergency event by including the following among the specified emergency events:* a serious accident of one or more campers, visitors, camp staff, or camp volunteers that occurs on camp premises or while under the supervision of camp staff;
* an epidemic;
* an unauthorized or unknown individual present on the camp's premises; and
* a transportation emergency.

The substitute revises the requirements of the engrossed for the executive commissioner by rule to require a youth camp operator to maintain an operable radio capable of providing real-time weather alerts, install and maintain a certain emergency warning system, monitor certain safety alerts, and certify the operator's compliance with those requirements by specifying that the requirements apply with respect to each youth camp the operator operates. Both the engrossed and substitute require a youth camp operator to revise and resubmit an emergency plan that does not meet the minimum standards prescribed by applicable DSHS rules by a specified deadline. However, the substitute omits the provision of the engrossed specifying that the DSHS rules prescribing such standards are rules adopted under the bill's provisions relating to additional health and safety standards for youth camps. While both the engrossed and substitute require DSHS to provide access to the digital database of submitted emergency plans to TDEM, the substitute includes each member of the Youth Camp Safety Multidisciplinary Team among those to whom DSHS must provide such access, whereas the engrossed does not. Whereas the engrossed required a youth camp operator to make available the most recent version of a submitted emergency plan to the parent or legal guardian of a camper or prospective camper, the substitute requires a youth camp operator to provide that plan to the parent or legal guardian. The substitute includes a requirement absent from the engrossed for a youth camp operator to ensure the parent or legal guardian of a camper or prospective camper signs and submits to the operator a statement acknowledging receipt of the required notice relating to any area of the camp being located within a floodplain.While both the engrossed and substitute require a youth camp operator to conspicuously post in each cabin the proper evacuation route described in the camp's emergency plan, the substitute includes a specification absent from the engrossed that the requirement applies with respect to each cabin on the youth camp premises.The substitute revises the requirement of the engrossed for a youth camp operator or youth camp staff member within a specified time frame to conduct a mandatory safety orientation that trains each camper on the appropriate actions and procedures to follow in an emergency event by specifying that the appropriate actions and procedures must be provided through developmentally appropriate instruction. Whereas the engrossed included the requirement for a youth camp operator at least once a year to train each camp staff member and volunteer on the contents of the camp's emergency plan, the substitute includes instead a requirement for a youth camp operator at least once a year to ensure each staff member and volunteer successfully completes training on the camp's emergency plan in compliance with any minimum standards and required hours established by DSHS rule. |
|  |
|  |
|  |