**BILL ANALYSIS**

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| Senate Research Center | S.B. 1 |
|  | By: Perry et al. |
|  | Disaster Preparedness & Flooding, Select |
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**AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

S.B. 1 is comprehensive legislation intended to address the needs and challenges relating to campground and youth camp safety identified during and after the devastating July 4 floods that inundated Central and West Texas. This bill incorporates significant feedback received from the families of the children lost at Camp Mystic.

To better prepare campgrounds of all types—including youth camps—for natural disasters, S.B. 1 implements basic campground safety requirements. These requirements include:

* installing emergency rooftop access ladders in cabins located in floodplains;
* developing an emergency plan that addresses the safety of campers in all types of natural disasters (e.g., flash floods, floods, tornadoes, hurricanes, wildfires, etc.);
* implementing the applicable portions of the emergency plan during each type of natural disaster;
* providing a copy of the emergency plan to the local emergency management coordinator(s); and
* implementing basic fire safety standards.

To better prepare youth camps, specifically, for emergencies, S.B. 1 implements heightened requirements applicable only to youth camps. These requirements include:

* a prohibition against operating cabins located in a floodplain;
* incorporating additional scenarios into the emergency planning requirement (e.g., lost campers, structure fires, severe injuries, illnesses, or fatalities suffered by campers, and aquatic emergencies such as drownings);
* establishing procedures for identifying and accounting for campers during emergencies;
* establishing procedures to notify local emergency services, appropriate camp personnel, and the parents or legal guardians of campers of an emergency;
* designating an emergency preparedness coordinator for each youth camp; maintaining operable weather alert radios in each cabin; installing emergency warning systems and public address systems in each youth camp; monitoring for local weather alerts;
* providing a copy of the emergency plan to the Department of State Health Services (DSHS), which must maintain a database for all such emergency plans that is accessible to the Texas Division of Emergency Management;
* providing a copy of the emergency plan to the parents or legal guardians of each camper;
* notifying the parents or legal guardians of each camper if any portion of the youth camp is located in a floodplain;
* conducting safety orientations for campers at the beginning of each camp session that include training the campers on their roles in the emergency plan;
* conducting an annual training on the emergency plan for each camp staff member and volunteer;
* posting in each cabin the evacuation routes applicable to each cabin; and
* keeping all evacuation routes lit at night.

Lastly, S.B. 1 increases transparency by requiring DSHS to post, update, and maintain on its website a list of all youth camps in the state with active licenses from DSHS.

As proposed, S.B. 1 amends current law relating to campground and youth camp safety.

**RULEMAKING AUTHORITY**

Rulemaking authority is expressly granted to the executive commissioner of the Department of State Health Services in SECTION 1 (Section 141.0091, Health and Safety Code) of this bill.

**SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 141, Health and Safety Code, by amending Section 141.002 and adding Sections 141.0052, 141.0053, and 141.0091, as follows:

Sec. 141.002. DEFINITIONS. Defines "cabin" and "floodplain."

Sec. 141.0052. ONLINE LIST OF LICENSED YOUTH CAMPS REQUIRED. Requires the Department of State Health Services (DSHS) to publish, maintain, and update on its website a list displaying each youth camp holding an active license granted under Chapter 141 (Youth Camps).

Sec. 141.0053. LICENSURE OF YOUTH CAMPS WITH CABINS IN FLOODPLAIN GENERALLY PROHIBITED. Prohibits DSHS from issuing or renewing a license under this chapter to a youth camp that operates one or more cabins located in a floodplain.

Sec. 141.0091. ADDITIONAL HEALTH AND SAFETY STANDARDS. (a) Requires the executive commissioner of DSHS (executive commissioner), as part of the health and safety standards established under Section 141.009 (Standards), by rule to make applicable to a youth camp the requirements of Chapter 762 in the same manner as those requirements apply to a campground under that chapter.

(b) Requires the executive commissioner by rule to require a youth camp operator in the emergency plan the operator develops for a youth camp as required under Section 762.002 to include procedures for responding to certain types of emergencies other than those specified in Section 762.002, specify muster zones for campers and camp staff to congregate in during an emergency that requires evacuation from any portion of the premises of the camp, establish procedures to identify and account for each camper affected by an emergency, establish procedures to notify and communicate with certain entities, and designate in the plan an emergency preparedness coordinator for the camp.

(c) Requires the executive commissioner by rule to require a youth camp operator to maintain operable radios capable of providing real-time weather alerts issued by the National Weather Service or a similar professional weather service in each cabin, install and maintain at the camp an emergency warning system that is capable of alerting all campers and camp occupants of an emergency and 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 or through other local emergency notification systems, and certify the operator's compliance with each requirement of this subsection.

(d) Requires the youth camp operator, if DSHS determines an emergency plan submitted under this section and Section 762.002 does not meet the minimum standards prescribed by DSHS rules adopted under this section, to revise and resubmit the plan not later than the 90th day after the date the operator receives notice from DSHS of the plan's deficiencies.

(e) Requires a youth camp operator to update and resubmit the emergency plan required under this section as an attachment to the annual application to renew a license required under Section 141.005 (License Renewal).

(f) Requires a youth camp operator, notwithstanding Section 762.002(c), not more than ten business days after acceptance by DSHS of an emergency plan, revised emergency plan or updated emergency plan required under this section, to furnish a copy of the emergency plan to:

(1) if the camp is located in a municipality, the emergency management coordinator designated under Section 418.1015 (Emergency Management Directors), Government Code, for the municipality, or if a coordinator has not been designated, the emergency management director designated under that section for the municipality; and

(2) the emergency management coordinator designated under Section 418.1015, Government Code, for the county in which the youth camp is located, or if a coordinator has not been designated, the emergency management director designated under that section for the county.

(g) Authorizes a youth camp operator to consult with an emergency management director or emergency management coordinator described by Subsection (f), as applicable, during the development of an emergency plan required by this section.

(h) Requires DSHS to store emergency plans required under this section and Section 762.002 in a digital database accessible to the Texas Division of Emergency Management.

(i) Requires a youth camp operator to make the most recently updated version of the emergency plan required under this section available to the parent or legal guardian of a camper who is participating in a camp session or is registered to participate in a future camp session and notify the parent or legal guardian of a camper who is participating in a camp session or is registered in a future camp session if any portion of the camp is located within a floodplain.

(j) Requires a youth camp operator or camp staff, not more than 48 hours after the beginning of each camp session, to conduct a safety orientation in which all campers participating in the camp session are required to participate and during which the youth camp operator is required to notify each camper of the camp's boundaries and any hazards present on the premises of the camp, instruct each camper regarding behavioral expectations for campers during an emergency, and train each camper on the action the camper is to perform during an emergency in accordance with the emergency plan required under this section and Section 762.002.

(k) Requires a youth camp operator, not less than once per year, to

(1) provide to each camp staff member and volunteer a copy of the most recently updated version of the camp's emergency plan;

(2) train each camp staff member and volunteer on the camp's emergency plan;

(3) instruct each camp staff member and volunteer on the procedures to follow during an emergency event in accordance with the camp's emergency plan; and

(4) maintain written records documenting the successful completion by each camp staff member and volunteer of the training required by Subdivision (1).

(l) Requires a youth camp operator to post in each cabin the evacuation route prescribed for the cabin in the emergency plan required by this section and Section 762.002 and ensure that each evacuation route on the premises of a youth camp prescribed in the emergency plan required by this section and Section 762 remains lit at night.

(m) Prohibits DSHS, notwithstanding Section 141.0025 (Waiver; Appeal), from granting a waiver from a requirement prescribed under this section or Chapter 762.

SECTION 2. Amends Subtitle A, Title 9, Health and Safety Code, by adding Chapter 762, as follows:

CHAPTER 762. CAMPGROUND SAFETY

Sec. 762.001. DEFINITIONS. Defines "cabin," "campground," "campground operator," "floodplain," and "governmental entity."

Sec. 762.002. SAFETY REQUIREMENTS. (a) Requires a campground operator to:

(1) install and maintain in each campground cabin located within a floodplain an emergency ladder capable of providing access to the cabin's roof; and

(2) develop an emergency plan for:

(A) evacuating on issuance of a flash flood warning campground occupants who are at a campground area within a floodplain;

(B) evacuating on issuance of a flood warning campground occupants who are at a campground area within a floodplain;

(C) evacuating campground occupants on issuance of an evacuation order by the emergency management director designated under Section 418.1015, Government Code, for the county or, if applicable, the municipality in which the campground is located due to a wildfire, hurricane, or other disaster; and

(D) sheltering campground occupants in place on issuance of:

(i) a tornado warning; or

(ii) an order to shelter in place by the emergency management director designated under Section 418.1015, Government Code, for the county or, if applicable, the municipality in which the campground is located.

(b) Requires a campground operator to implement the portion of the emergency plan required under Subsection (a)(2)(A) on issuance by the National Weather Service of a flash flood warning for an area of the campground, implement the portion of the emergency plan required under Subsection (a)(2)(B) on issuance by the National Weather Service of a flood warning for an area of the campground, and implement the portion of the emergency plan required under Subsection (a)(2)(D)(i) on issuance by the National Weather Service of a tornado warning for an area of the campground.

(c) Requires a campground operator to send a copy of an emergency plan developed under Subsection (a)(2) to:

(1) for a campground located in a municipality, the emergency management coordinator designated under Section 418.1015, Government Code, for the municipality, or if a coordinator has not been designated, the emergency management director designated under that section for the municipality; and

(2) the emergency management coordinator designated under Section 418.1015, Government Code, for the county in which the campground is located, or if a coordinator has not been designated, the emergency management director designated under that section for the county.

Sec. 762.003. FIRE PROTECTION STANDARDS. (a) Provides that this section does not apply to a campground owned or controlled by a governmental entity.

(b) Requires a campground to comply with the National Fire Protection Association 1194, Standard for Recreational Vehicle Parks and Campgrounds, 2021 Edition, other than Sections 1.1.1 and 5.1.1.1.

(c) Provides that a governmental entity is authorized 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 only if the policy, rule, ordinance, or order does not impose standards more stringent than the standards described under Subsection (b).

SECTION 3. Requires the executive commissioner, not later than January 1, 2026, to adopt the rules required by Section 141.0091, Health and Safety Code, as added by this Act.

SECTION 4. Provides that, notwithstanding Section 141.0091, Health and Safety Code, as added by this Act, a youth camp operator is not required to submit an emergency plan to DSHS until May 1, 2026.

SECTION 5. Effective date: upon passage or the 91st day after the last day of the legislative session.