

**BILL ANALYSIS**

H.B. 1  
By: Darby  
Disaster Preparedness & Flooding, Select  
Committee Report (Unamended)

**BACKGROUND AND PURPOSE**

The bill author 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 Select Committee 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 author has 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.

**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 2 of this bill.

**ANALYSIS**

H.B. 1 amends the Health and Safety Code to require a resident youth camp operator, defined by the bill as a person who owns, operates, controls, or supervises a resident youth camp, regardless of profit, to do the following for each resident youth camp:

- develop and implement a written emergency plan with procedures for responding to an emergency event, including:
  - a natural disaster;
  - a lost camper;
  - a fire;
  - a transportation emergency;
  - a severe illness;
  - an epidemic;
  - a severe injury;
  - a serious accident;

- a fatality;
- an unauthorized or unknown individual present on the camp's premises;
- an aquatic emergency, if applicable; and
- any other emergency event designated in Department of State Health Services (DSHS) rules;
- designate in the plan an emergency preparedness supervisor for the camp;
- annually review and as necessary update the plan; and
- annually submit the plan to DSHS in the form and manner DSHS prescribes.

The emergency plan must include specific procedures for campers, staff, and volunteers of the resident youth camp to follow in an emergency event, including procedures for the following:

- sheltering in or evacuating from camp buildings and the camp;
- controlling vehicular traffic on the camp's premises; and
- notifying and communicating with the local emergency medical services provider, the local fire department, the local sheriff's department, and camp administrative and medical services staff.

H.B. 1 requires a resident youth camp operator, if DSHS determines a submitted emergency plan does not meet the minimum standards prescribed by DSHS rule, 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. The bill authorizes DSHS to provide recommendations for the operator to implement in the next annual update to the plan. The bill requires the executive commissioner of the Health and Human Services Commission (HHSC), in adopting rules under the bill's provisions, to require DSHS to consider the financial hardship placed on a resident youth camp operator to implement a recommended emergency plan revision. The bill establishes that a financial hardship exemption DSHS grants under the bill may not exempt the operator from compliance with the minimum standards prescribed by DSHS rule.

H.B. 1 requires a resident youth camp operator to do the following for each resident youth camp:

- make available the camp's approved emergency plan to each camper and a parent or legal guardian of each camper;
- instruct campers at the beginning of each camp session on 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; and
- provide to the relevant emergency services district or county in which the camp is primarily located a copy of the plan and a list of the campers, staff, and volunteers occupying the camp in a camp session on or before the first day of the session.

The bill further requires a resident youth camp operator to do the following before the beginning of each session at a resident youth camp:

- provide to each camp staff member and volunteer a copy of the camp's emergency plan and comprehensive training on the plan that addresses each procedure included in the plan as prescribed by DSHS 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 required training.

H.B. 1 requires the executive commissioner, in coordination with the Texas Division of Emergency Management, by rule to prescribe the following:

- the information to be included in a resident youth camp operator's emergency plan for each resident youth camp;
- the minimum number of training hours required for the comprehensive emergency plan training for camp staff members and volunteers;
- the form and manner for submission of the plan to DSHS; and
- DSHS procedures for determining whether the plan meets the minimum standards prescribed by DSHS rule.

H.B. 1 authorizes the attorney general to bring an action to impose a civil penalty against a resident youth camp operator who violates the bill's provisions and rules adopted under the bill in an amount capped at \$1,000 for each violation. Each day a violation continues is a separate violation for purposes of imposing the civil penalty. The bill authorizes the attorney general to recover reasonable expenses incurred in bringing the action, including court costs, reasonable attorney's fees, investigative costs, witness fees, and deposition costs. A civil penalty collected under the bill's provisions must be remitted to DSHS to offset DSHS costs in administering the bill's provisions.

H.B. 1 requires the executive commissioner, not later than March 1, 2026, to adopt the rules required under the bill's provisions. The bill establishes that a resident youth camp operator is not required to submit an emergency plan to DSHS until May 1, 2026.

#### **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.