

By: Darby, King, Meyer, DeAyala, McQueeney,
et al.

H.B. No. 1

A BILL TO BE ENTITLED

AN ACT

relating to youth camp and campground emergency preparedness;
authorizing civil and other penalties; making appropriations.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

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

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

SUBCHAPTER A. GENERAL PROVISIONS

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

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

SECTION 4. 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, are designated as Subchapter B, Chapter 141,
Health and Safety Code, and a heading is added to Subchapter B to
read as follows:

SUBCHAPTER B. LICENSING AND REGULATION OF YOUTH CAMPS

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

Sec. 141.0031. PROHIBITED LICENSURE OF YOUTH CAMP WITHIN FLOODPLAIN. (a) In this section:

(1) "Cabin" means a structure used to provide sleeping quarters to campers.

(2) "Floodplain" means an area within a 100-year floodplain identified by the Federal Emergency Management Agency under the National Flood Insurance Act of 1968 (42 U.S.C. Section 4001 et seq.).

(b) The department may not issue or renew 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) A resident youth camp operator shall notify the department, in the form and manner prescribed by the department, of any modification to:

(1) the resident youth camp's property;

(2) a structure located on the resident youth camp's property; or

(3) any resident youth camp activities.

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

1 Sec. 141.0053. SAFE ACCESS TO YOUTH CAMPS. (a) In this
2 section, "low-water crossing" means a bridge or roadway that:

3 (1) is passable when dry;
4 (2) is designed to flood during heavy rainfall; and
5 (3) poses a danger to passage during heavy rainfall or
6 flash flood events.

7 (b) Except as provided by Subsection (c), the department may
8 not issue or renew a youth camp license if the camp:

9 (1) is located wholly or partly within a 100-year
10 floodplain as determined by the most recent maps published by the
11 Federal Emergency Management Agency; and

12 (2) does not have safe ingress or egress by a motor
13 vehicle without crossing a road's low-water crossing.

14 (c) The department may grant a waiver from the prohibition
15 of Subsection (b) to a youth camp that:

16 (1) was in operation before December 1, 2025; and
17 (2) includes in the camp's emergency plan under
18 Section 141.053 strategies and methods the youth camp will use to
19 mitigate the risks associated with low-water crossings.

20 (d) The strategies and methods for mitigating risks
21 associated with low-water crossings described by Subsection (c)(2)
22 may include:

23 (1) regular maintenance and repair or design changes
24 to improve water drainage at the camp;

25 (2) structural bridge or roadway changes, including
26 elevating low-water crossings; and

27 (3) post-construction flood mitigation strategies,

1 including the installment at low-water crossings of automated gates
2 or gauges.

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

5 (c) The department shall review the camper to counselor
6 ratios for overnight stays at youth camps and provide to the
7 executive commissioner recommendations regarding minimum camper to
8 counselor ratios. The executive commissioner by rule shall
9 establish minimum camper to counselor ratios for overnight stays at
10 youth camps.

11 SECTION 7. Section 141.009, Health and Safety Code, is
12 amended to read as follows:

13 Sec. 141.009. STANDARDS. (a) The executive commissioner
14 by rule shall establish health and safety standards for youth
15 camps. The standards may relate to:

16 (1) adequate and proper supervision at all times of
17 camp activities;

18 (2) qualifications for directors, supervisors, and
19 staff and sufficient numbers of those persons;

20 (3) proper safeguards for sanitation and public
21 health;

22 (4) adequate medical services for personal health and
23 first aid;

24 (5) proper procedures for food preparation, handling,
25 and mass feeding;

26 (6) healthful and sufficient water supply;

27 (7) proper waste disposal;

- 1 (8) proper water safety procedures for swimming pools,
2 lakes, and waterways;
- 3 (9) safe boating equipment;
- 4 (10) proper maintenance and safe use of motor
5 vehicles;
- 6 (11) safe buildings and physical facilities;
- 7 (12) proper fire precautions;
- 8 (13) safe and proper recreational and other equipment;
- 9 (14) proper regard for density and use of the
10 premises; and
- 11 (15) records of criminal convictions of camp
12 personnel.

13 (b) In establishing health and safety standards under
14 Subsection (a), the executive commissioner by rule shall require a
15 youth camp to:

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

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

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

26 (C) the location of emergency equipment; and

27 (2) provide instruction to all campers and camp staff

before the first overnight stay of a camping session on:

(A) the routes to the camp's safe meeting point;

(B) the location of the camp's emergency equipment;

(C) the location of the camp's emergency evacuation and relocation maps; and

(D) implementation and use of the emergency evacuation and relocation maps.

SECTION 8. Chapter 141, Health and Safety Code, is amended by adding Subchapter C to read as follows:

SUBCHAPTER C. RESIDENT YOUTH CAMP SAFETY

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

Sec. 141.052. DEFINITIONS. In this subchapter:

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

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

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

(1) a natural disaster;

(2) a lost camper;

(3) a fire;

1 (4) a transportation emergency;
2 (5) a severe illness;
3 (6) an epidemic;
4 (7) a severe injury;
5 (8) a serious accident;
6 (9) a fatality;
7 (10) an unauthorized or unknown individual present on
8 the camp's premises;
9 (11) an aquatic emergency, if applicable; and
10 (12) any other emergency event prescribed by executive
11 commissioner rule.

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

15 (c) The resident youth camp operator shall:
16 (1) annually review the emergency plan and update the
17 plan as necessary;

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

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

23 (4) provide to campers at the beginning of each camp
24 session:

25 (A) developmentally appropriate instruction
26 regarding the actions the camper is to perform during an emergency
27 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;

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; and

23 (7) for a resident youth camp located wholly or partly
24 within a floodplain, before the beginning of each camp session:

25 (A) provide written notice to the parent or legal
26 guardian of each camper of the camp's location within the
27 floodplain and the risk of flooding at the camp; and

1 (B) ensure the parent or legal guardian signs and
2 submits to the operator a statement acknowledging receipt of the
3 notice.

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

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

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

15 (2) controlling vehicular traffic on the camp's
16 premises; and

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

19 (A) a local emergency medical services provider;

20 (B) the municipal or volunteer fire department;

21 (C) the county sheriff's office or municipal
22 police department;

23 (D) the office of emergency management of the
24 county or municipality in which the resident youth camp is
25 primarily located; and

26 (E) the resident youth camp's administrative and
27 medical services staff.

1 (f) The resident youth camp operator may coordinate with the
2 office of emergency management of the county or municipality in
3 which the resident youth camp is primarily located in developing
4 the emergency plan under this section.

5 Sec. 141.054. DEPARTMENT REJECTION OF EMERGENCY PLAN;
6 CORRECTIVE ACTION. (a) If the department determines a resident
7 youth camp's submitted emergency plan does not meet the minimum
8 standards prescribed by executive commissioner rule under Section
9 141.055, the resident youth camp operator shall, in the form and
10 manner prescribed by executive commissioner rule:

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

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

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

22 Sec. 141.055. ADOPTION OF MINIMUM STANDARDS; RULES. The
23 executive commissioner shall adopt rules to implement this
24 subchapter. The rules must specify:

25 (1) the information required in an emergency plan,
26 including:

27 (A) procedures for addressing an emergency event

1 described by Section 141.053(a); and

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

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

7 (3) the form and manner for submitting an emergency
8 plan to the department; and

9 (4) the department's procedures for:

10 (A) determining whether an emergency plan meets
11 the minimum standards prescribed by executive commissioner rule;
12 and

13 (B) additional inspections required under
14 Section 141.056 to ensure compliance with the approved emergency
15 plan.

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

23 (b) The department shall investigate each complaint filed
24 with the department for a resident youth camp to ensure the resident
25 youth camp operator is properly implementing the approved emergency
26 plan and the camp complies with this subchapter.

27 (c) A department investigation under this section must

1 include an inspection to ensure the resident youth camp's
2 compliance with this subchapter. The inspection shall be performed
3 in the same manner as an inspection under Section 141.007.

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

- 8 (1) the department;
9 (2) the Texas Division of Emergency Management;
10 (3) the Texas Department of Insurance State Fire
11 Marshal's Office;
12 (4) the Parks and Wildlife Department;
13 (5) the Texas Water Development Board;
14 (6) the Texas A&M Forest Service; and
15 (7) the Department of Public Safety.

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

18 (c) The team shall meet regularly to develop proposed
19 minimum standards for resident youth camps under this subchapter.
20 The team shall present the proposed minimum standards to the
21 executive commissioner as recommendations for the minimum
22 standards adopted under Section 141.055.

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

1 (b) Each day a violation continues is considered a separate
2 violation for purposes of imposing a civil penalty under this
3 section.

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

8 (d) A civil penalty collected under this section must be
9 remitted to the department to offset department costs in
10 administering this subchapter.

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

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

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

27 Sec. 141.061. CONFLICT OF LAWS. In the event of a conflict

1 between this subchapter and another provision of law relating to
2 licensing and regulation of resident youth camps, this subchapter
3 controls.

4 SECTION 9. Not later than March 1, 2026, the executive
5 commissioner of the Health and Human Services Commission shall
6 adopt the rules required by Subchapter C, Chapter 141, Health and
7 Safety Code, as added by this Act.

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

12 SECTION 11. As soon as practicable after the effective date
13 of this Act, the executive commissioner of the Health and Human
14 Services Commission shall adopt rules necessary to implement
15 Section 141.009, Health and Safety Code, as amended by this Act.

16 SECTION 12. (a) The amount of \$2,594,265 is appropriated
17 from the economic stabilization fund for use during the two-year
18 period beginning on the effective date of this Act, and the amount
19 of \$2,484,726 is appropriated from the general revenue fund for use
20 during the state fiscal year beginning September 1, 2026, to the
21 Department of State Health Services to implement the provisions of
22 this legislation. The department shall adjust the amount the
23 department sets for license fees under Section 141.0035, Health and
24 Safety Code, as necessary to recover the costs of the
25 appropriations made under this subsection.

26 (b) During the state fiscal biennium beginning September 1,
27 2025, the Department of State Health Services, in addition to the

capital budget authority other law grants to the department during that period, may use \$500,000 in capital budget authority for the appropriations made by Subsection (a) of this section, if any.

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

SECTION 13. (a) Except as provided by Subsections (b) and (c) of this section, this Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect on the 91st day after the last day of the legislative session.

(b) Subject to Subsection (c) of this section, Section 12 of this Act, making an appropriation to the Department of State Health Services, takes effect on the later of:

(1) the earliest date the section may take effect under Section 14, Article IV, Texas Constitution; or

(2) September 1, 2025.

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