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H.B. No. 1

A BILL TO BE ENTITLED

AN ACT

relating to resident youth camp emergency plans and preparedness;
authorizing a civil penalty.

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. Chapter 141, Health and Safety Code, is amended
by adding Section 141.0091 to read as follows:

Sec. 141.0091. REQUIRED EMERGENCY PLAN FOR RESIDENT YOUTH
CAMP; DEPARTMENT APPROVAL; CIVIL PENALTY. (a) In this section,
"resident youth camp operator" means a person who owns, operates,
controls, or supervises a resident youth camp, regardless of
profit.

(b) A resident youth camp operator shall, for each resident
youth camp:

(1) develop and implement a written emergency plan
with procedures for responding to an emergency event, including:

(A) a natural disaster;

(B) a lost camper;

(C) a fire;

(D) a transportation emergency;

(E) a severe illness;

(F) an epidemic;

1 (G) a severe injury;
2 (H) a serious accident;
3 (I) a fatality;
4 (J) an unauthorized or unknown individual
5 present on the camp's premises;
6 (K) an aquatic emergency, if applicable; and
7 (L) any other emergency event designated in
8 department rules;
9 (2) designate in the plan an emergency preparedness
10 supervisor for the camp;
11 (3) annually review and as necessary update the plan;
12 and
13 (4) annually submit the plan to the department in the
14 form and manner the department prescribes.
15 (c) The emergency plan must include specific procedures for
16 campers, staff, and volunteers of the resident youth camp to follow
17 in an emergency event, including procedures for:
18 (1) sheltering in or evacuating from camp buildings
19 and the camp;
20 (2) controlling vehicular traffic on the camp's
21 premises; and
22 (3) notifying and communicating with:
23 (A) the local emergency medical services
24 provider, the local fire department, and the local sheriff's
25 department; and
26 (B) camp administrative and medical services
27 staff.

1 (d) If the department determines a submitted emergency plan
2 does not meet the minimum standards prescribed by department rule,
3 the resident youth camp operator shall revise and resubmit the plan
4 not later than the 90th day after the date the operator receives
5 notice from the department of the plan's deficiencies. The
6 department may provide recommendations for the operator to
7 implement in the next annual update to the plan.

8 (e) In adopting rules under this section, the executive
9 commissioner shall require the department to consider the financial
10 hardship placed on a resident youth camp operator to implement a
11 recommended emergency plan revision. A financial hardship
12 exemption the department grants under this section may not exempt
13 the operator from compliance with the minimum standards prescribed
14 by department rule.

15 (f) A resident youth camp operator for each resident youth
16 camp shall:

17 (1) make available the camp's approved emergency plan
18 to each camper and a parent or legal guardian of each camper;

19 (2) instruct campers at the beginning of each camp
20 session on the actions the camper is to perform during an emergency
21 event and the name and contact information of the camp's designated
22 emergency preparedness supervisor; and

23 (3) provide to the relevant emergency services
24 district or county in which the camp is primarily located:

25 (A) a copy of the plan; and

26 (B) a list of the campers, staff, and volunteers
27 occupying the camp in a camp session on or before the first day of

1 the session.

2 (g) Before the beginning of each session at a resident youth
3 camp, a resident youth camp operator shall:

4 (1) provide to each camp staff member and volunteer a
5 copy of the camp's emergency plan and comprehensive training on the
6 plan that addresses each procedure included in the plan as
7 prescribed by department rule;

8 (2) instruct each camp staff member and volunteer on
9 the procedures to follow during an emergency event; and

10 (3) maintain in the camp's on-site administrative
11 office records documenting the successful completion by each camp
12 staff member and volunteer of the training required by Subdivision
13 (1).

14 (h) The executive commissioner, in coordination with the
15 Texas Division of Emergency Management, by rule shall prescribe:

16 (1) the information to be included in a resident youth
17 camp operator's emergency plan for each resident youth camp;

18 (2) the minimum number of training hours required
19 under Subsection (g)(1);

20 (3) the form and manner for submission of the plan to
21 the department; and

22 (4) the department's procedures for determining
23 whether the plan meets the minimum standards prescribed by
24 department rule.

25 (i) The attorney general may bring an action to impose a
26 civil penalty against a resident youth camp operator who violates
27 this section and rules adopted under this section in an amount not

1 to exceed \$1,000 for each violation. Each day a violation continues
2 is a separate violation for purposes of imposing a civil penalty
3 under this section. The attorney general may recover reasonable
4 expenses incurred in bringing an action under this section,
5 including court costs, reasonable attorney's fees, investigative
6 costs, witness fees, and deposition costs.

7 (j) A civil penalty collected under Subsection (i) shall be
8 remitted to the department to offset department costs in
9 administering this section.

10 SECTION 3. Not later than March 1, 2026, the executive
11 commissioner of the Health and Human Services Commission shall
12 adopt the rules required by Section 141.0091, Health and Safety
13 Code, as added by this Act.

14 SECTION 4. Notwithstanding Section 141.0091, Health and
15 Safety Code, as added by this Act, a resident youth camp operator is
16 not required to submit the emergency plan to the Department of State
17 Health Services until May 1, 2026.

18 SECTION 5. This Act takes effect immediately if it receives
19 a vote of two-thirds of all the members elected to each house, as
20 provided by Section 39, Article III, Texas Constitution. If this
21 Act does not receive the vote necessary for immediate effect, this
22 Act takes effect on the 91st day after the last day of the
23 legislative session.