

By: Hull, Meyer, Slawson, Leo Wilson, Leach,
et al.

H.B. No. 265

Substitute the following for H.B. No. 265:

By: VanDeaver

C.S.H.B. No. 265

A BILL TO BE ENTITLED

AN ACT

relating to governmental oversight of youth camps, including youth
camp rules, duties, and the advisory committee.

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

SECTION 1. Section 141.008, Health and Safety Code, is
amended by amending Subsection (a) and adding Subsection (a-1) to
read as follows:

(a) The executive commissioner may adopt rules to implement
this chapter. In adopting the rules the executive commissioner
shall comply with Subchapter B, Chapter 2001, Government Code,
including Sections 2001.032(b) and 2001.033, Government Code. [~~In
developing the rules to be adopted by the executive commissioner,
the department shall consult parents, youth camp operators, and
appropriate public and private officials and organizations.~~]

(a-1) Not later than April 1, 2026, the executive
commissioner, in consultation with the advisory committee
appointed under Section 141.010, shall conduct a comprehensive
review and revision of the youth camp rules prescribed under this
chapter. This subsection expires September 1, 2027.

SECTION 2. Chapter 141, Health and Safety Code, is amended
by adding Section 141.0084 to read as follows:

Sec. 141.0084. REPORTS OF ABUSE; DUTIES OF YOUTH CAMP STAFF
MEMBERS AND VOLUNTEERS. A youth camp staff member or volunteer who
has reasonable cause to believe a child's physical or mental health

1 or welfare has been adversely affected by abuse or neglect by any
2 person shall immediately make a report as provided by Subchapter B,
3 Chapter 261, Family Code.

4 SECTION 3. Section 141.010, Health and Safety Code, is
5 amended by amending Subsection (b) and adding Subsections (b-1),
6 (g), and (h) to read as follows:

7 (b) The advisory committee is composed of 11 members,
8 including:

9 (1) one emergency management director or coordinator
10 designated under Section 418.1015, Government Code;

11 (2) one law enforcement professional;

12 (3) one pediatrician, primary care physician,
13 pediatric advanced practice registered nurse, or pediatric
14 physician's assistant;

15 (4) one child psychologist;

16 (5) one child abuse prevention expert;

17 (6) one water safety expert;

18 (7) two youth camp operators;

19 (8) one parent or legal guardian of a child who was a
20 camper at a youth camp in this state in the two years preceding the
21 appointment date; and

22 (9) two members of the general public ~~[may not exceed~~
23 ~~nine members, at least two of whom shall be members of the general~~
24 ~~public. The other members should be experienced camping~~
25 ~~professionals who represent the camping communities of the state].~~

26 (b-1) In making the appointments to the advisory committee,
27 the executive commissioner shall attempt to reflect the geographic

1 diversity of the state [~~in proportion to the number of camps~~
2 ~~licensed by the department in each geographic area of the state~~].

3 (g) An individual, other than an individual appointed under
4 Subsection (b)(7), is ineligible for appointment to the advisory
5 committee if the individual is:

6 (1) affiliated with any youth camp; or

7 (2) related within the second degree of consanguinity
8 or affinity, as determined by Chapter 573, Government Code, to an
9 individual who is affiliated with a youth camp.

10 (h) Meetings of the advisory committee are subject to
11 Chapter 551, Government Code.

12 SECTION 4. Section 141.011, Health and Safety Code, is
13 amended to read as follows:

14 Sec. 141.011. OPERATOR'S DUTY. (a) A youth camp operator
15 shall provide each camper with safe and healthful conditions,
16 facilities, and equipment that are free from recognized hazards
17 that cause or may tend to cause death, serious illness, or bodily
18 harm.

19 (b) Before an adult individual may serve as a youth camp
20 staff member or volunteer who has unsupervised contact with a
21 camper, a youth camp operator must:

22 (1) conduct an annual criminal history record check on
23 the individual; and

24 (2) ascertain whether the individual is registered as
25 a sex offender under Chapter 62, Code of Criminal Procedure, by
26 consulting the sex offender database maintained by the Department
27 of Public Safety.

1 (c) A youth camp operator shall ensure each adult camp staff
2 member successfully completes at least one hour of training in
3 first aid and cardiopulmonary resuscitation provided by an
4 accredited training organization or licensed health care
5 professional.

6 SECTION 5. The following provisions of the Health and
7 Safety Code are repealed:

- 8 (1) Section 141.0021;
9 (2) Section 141.0025;
10 (3) Section 141.0035(b);
11 (4) Section 141.007(g); and
12 (5) Section 141.016(c).

13 SECTION 6. (a) The terms of the youth camp advisory
14 committee members appointed under Section 141.010, Health and
15 Safety Code, and serving immediately before the effective date of
16 this Act expire on the effective date of this Act.

17 (b) On the effective date of this Act, the executive
18 commissioner of the Health and Human Services Commission shall open
19 the application process to appoint youth camp advisory committee
20 members under Section 141.010, Health and Safety Code, as amended
21 by this Act.

22 (c) The executive commissioner of the Health and Human
23 Services Commission shall appoint members to serve on the youth
24 camp advisory committee under Section 141.010, Health and Safety
25 Code, as amended by this Act:

- 26 (1) not later than October 1, 2025, if this Act takes
27 effect immediately; or

1 (2) as soon as practicable after the effective date of
2 this Act, if this Act takes effect on the 91st day after the last day
3 of the legislative session.

4 SECTION 7. This Act takes effect immediately if it receives
5 a vote of two-thirds of all the members elected to each house, as
6 provided by Section 39, Article III, Texas Constitution. If this
7 Act does not receive the vote necessary for immediate effect, this
8 Act takes effect on the 91st day after the last day of the
9 legislative session.