

By: Perry, et al.

S.B. No. 1

A BILL TO BE ENTITLED

AN ACT

relating to campground and youth camp safety.

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

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

Sec. 141.002. DEFINITIONS. In this chapter:

(1) "Cabin" has the meaning assigned by Section 762.001.

(2) "Camper" means a minor who is attending a youth camp on a day care or boarding basis.

~~[(2)]~~ (3) "Day camp" includes any camp that primarily operates during any portion of the day between 7 a.m. and 10 p.m. for a period of four or more consecutive days but may incidentally offer not more than two overnight stays each camp session. The term does not include a facility required to be licensed with the Department of Family and Protective Services.

(4) "Floodplain" has the meaning assigned by Section 762.001.

~~[(3)]~~ (5) "Person" means an individual, partnership, corporation, association, or organization.

~~[(4)]~~ (6) "Resident youth camp" includes any camp that for a period of four or more days continuously provides residential services, including overnight accommodations for the duration of

the camp session.

~~[(5)]~~ (7) "Youth camp" means a facility or property, other than a facility required to be licensed by the Department of Family and Protective Services, that:

(A) has the general characteristics of a day camp, resident camp, or travel camp;

(B) is used primarily or partially for recreational, athletic, religious, or educational activities; and

(C) accommodates at least five minors who attend or temporarily reside at the camp for all or part of at least four days.

~~[(6)]~~ (7) "Youth camp operator" means a person who owns, operates, controls, or supervises a youth camp, regardless of profit.

Sec. 141.0052. ONLINE LIST OF LICENSED YOUTH CAMPS REQUIRED. The department shall publish, maintain, and update on its website a list displaying each youth camp holding an active license granted under this chapter.

Sec. 141.0053. LICENSURE OF YOUTH CAMPS WITH CABINS IN FLOODPLAIN GENERALLY PROHIBITED. The department may not issue or renew 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) As part of the health and safety standards established under Section [141.009](#), the executive commissioner by rule shall make applicable to a youth camp the requirements of Chapter 762 in the same manner as those requirements apply to a campground under that

1 chapter.

2 (b) The executive commissioner by rule shall require a youth
3 camp operator in the emergency plan the operator develops for a
4 youth camp as required under Section 762.002 to:

5 (1) include procedures for responding to types of
6 emergencies other than those specified in Section 762.002,
7 including:

8 (A) a lost camper;

9 (B) a fire in a structure or open area on the
10 premises of the camp;

11 (C) severe injury, illness, or fatality suffered
12 by one or more campers, visitors, camp volunteers, or camp staff
13 while on the premises of the camp or under the supervision of camp
14 staff, as applicable;

15 (D) an aquatic emergency if the camp borders a
16 watercourse, lake, pond, or other body of water; and

17 (E) any other natural disaster or emergency event
18 designated in department rules;

19 (2) specify muster zones for campers and camp staff to
20 congregate in during an emergency that requires evacuation from any
21 portion of the premises of the camp;

22 (3) establish procedures to identify and account for
23 each camper affected by an emergency; and

24 (4) establish procedures to notify and communicate
25 with:

26 (A) local emergency services, including the
27 emergency management director or emergency management coordinator

designated under Section 418.1015, Government Code, by the political subdivision within which the camp is located;

(B) camp administrative and medical services staff; and

(C) the parents or legal guardians of each camper identified under Subdivision (4); and

(5) designate in the plan an emergency preparedness coordinator for the camp.

(c) The executive commissioner shall by rule require a youth camp operator to:

(1) 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;

(2) install and maintain at the camp an emergency warning system that:

(A) is capable of alerting all campers and camp occupants of an emergency; and

(B) includes a public address system operable without reliance on an Internet connection;

(3) monitor safety alerts issued:

(A) by the National Weather Service or a similar professional weather service; and

(B) by local river authorities if applicable or through other local emergency notification systems; and

(4) certify the operator's compliance with each requirement of this subsection.

(d) If the department determines an emergency plan

submitted under this section and Section 762.002 does not meet the minimum standards prescribed by department rules adopted under this section, the youth camp operator shall revise and resubmit the plan not later than the 90th day after the date the operator receives notice from the department of the plan's deficiencies.

(e) A youth camp operator shall 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](#).

(f) Notwithstanding Section 762.002(c), a youth camp operator shall, not more than ten business days after acceptance by the department of an emergency plan, revised emergency plan or updated emergency plan required under this section, 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](#), 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) A youth camp operator may consult with an emergency management director or emergency management coordinator described by Subsection (f), as applicable, during the development of an

1 emergency plan required by this section.

2 (h) The department shall store emergency plans required
3 under this section and Section 762.002 in a digital database
4 accessible to the Texas Division of Emergency Management.

5 (i) A youth camp operator shall:

6 (1) make the most recently updated version of the
7 emergency plan required under this section available to the parent
8 or legal guardian of a camper who is participating in a camp session
9 or is registered to participate in a future camp session; and

10 (2) notify the parent or legal guardian of a camper who
11 is participating in a camp session or is registered in a future camp
12 session if any portion of the camp is located within a floodplain.

13 (j) Not more than 48 hours after the beginning of each camp
14 session, a youth camp operator or camp staff shall conduct a safety
15 orientation in which all campers participating in the camp session
16 must participate and during which the youth camp operator shall:

17 (1) notify each camper of the camp's boundaries and any
18 hazards present on the premises of the camp;

19 (2) instruct each camper regarding behavioral
20 expectations for campers during an emergency; and

21 (3) train each camper on the action the camper is to
22 perform during an emergency in accordance with the emergency plan
23 required under this section and Section 762.002.

24 (k) Not less than once per year, a youth camp operator
25 shall:

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

1 plan;

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

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

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

10 (1) A youth camp operator shall:

11 (1) post in each cabin the evacuation route prescribed
12 for the cabin in the emergency plan required by this section and
13 Section 762.002; and

14 (2) ensure that each evacuation route on the premises
15 of a youth camp prescribed in the emergency plan required by this
16 section and Section 762 remains lit at night.

17 (m) Notwithstanding Section 141.0025, the department may
18 not grant a waiver from a requirement prescribed under this section
19 or Chapter 762.

20 SECTION 2. Subtitle A, Title 9, Health and Safety Code, is
21 amended by adding Chapter 762 to read as follows:

22 CHAPTER 762. CAMPGROUND SAFETY

23 Sec. 762.001. DEFINITIONS. In this chapter:

24 (1) "Cabin" means a structure used to provide
25 temporary sleeping quarters for campers.

26 (2) "Campground" means, regardless of profit:

27 (A) a commercial property designed to provide

cabins; or

(B) a recreational vehicle park, as defined by
Section 13.087, Water Code.

(3) "Campground operator" means a person who owns,
operates, controls, or supervises a campground, regardless of
profit.

(4) "Floodplain" means any 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.).

(5) "Governmental entity" means this state or a state
agency or political subdivision of this state.

Sec. 762.002. SAFETY REQUIREMENTS. (a) A campground
operator shall:

(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) A campground operator shall:

(1) 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;

(2) 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

(3) 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) A campground operator shall 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) This section does not apply to a campground owned or controlled by a governmental entity.

(b) A campground must 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) A governmental entity may 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. Not later than January 1, 2026, the executive commissioner of the Health and Human Services Commission shall adopt the rules required by Section 141.0091, Health and Safety Code, as added by this Act.

SECTION 4. 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 the Department of State

1 Health Services until May 1, 2026.

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