

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 89TH LEGISLATURE 2nd CALLED SESSION 2025

August 18, 2025

TO: Honorable Ken King, Chair, House Committee on Disaster Preparedness & Flooding, Select

FROM: Jerry McGinty, Director, Legislative Budget Board

IN RE: HB1 by Darby (Relating to resident youth camp emergency plans and preparedness; authorizing a civil penalty.), **As Introduced**

The fiscal implications of the bill cannot be determined due to the number of additional staff and specific class titles needed to promulgate rules relating to the resident youth camp emergency plans and to review and approve those plans being unknown.

The bill would require a resident youth camp operator, for each resident youth camp, to develop and implement a written emergency plan with procedures for responding to an emergency event, designate in the plan a camp emergency preparedness supervisor, annually review and as necessary update the plan, and annually submit the plan to the Department of State Health Services (DSHS). A resident youth camp operator would not be required to submit the plan to DSHS until May 1, 2026. If DSHS were to determine a submitted emergency plan does not meet the minimum standards prescribed by department rule, the resident youth camp operator would be required 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 would authorize DSHS to provide recommendations for the operator to implement in the next annual update to the plan.

The bill would require the executive commissioner of the Health and Human Services Commission (HHSC), in coordination with the Texas Division of Emergency Management (TDEM), to prescribe by rule the information to be included in a resident youth camp emergency plan, the minimum number of training hours required on the plan, the form and manner for submission of the plan to DSHS, and DSHS's procedures for determining whether the plan meets prescribed minimum standards.

The bill would authorize 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 related rules in an amount not to exceed \$1,000 for each violation. The civil penalty would be remitted to DSHS to offset agency administrative costs. The bill would also authorize the Attorney General to recover reasonable expenses incurred in bringing such an action.

This analysis assumes that DSHS would need additional staff to promulgate rules relating to the resident youth camp emergency plans and to review and approve those plans, but the number of additional staff and the specific class titles needed for those functions is unknown. It is assumed that costs to the Office of the Attorney General, HHSC, and TDEM would be insignificant, though costs to TDEM would be dependent on staffing needs for the coordination with HHSC.

According to the Comptroller of Public Accounts, although creating a new civil penalty and allowing the Attorney General to recover reasonable expenses could result in an increase in revenue, the extent to which resident youth camp operators would violate the requirements in the bill and the amount of the subsequent assessment for those violations is not known. As a result, the impact of the bill on state revenue cannot be estimated. This analysis assumes any revenue gain would be insignificant.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 529 Health and Human Services Commission, 537 State Health Services, Department of, 575 Texas Division of Emergency Management

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