

SECOND REGULAR SESSION

HOUSE BILL NO. 2190

103RD GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE MURPHY.

5825H.01I

JOSEPH ENGLER, Chief Clerk

AN ACT

To amend chapter 210, RSMo, by adding thereto one new section relating to summer camps, with penalty provisions.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 210, RSMo, is amended by adding thereto one new section, to be known as section 210.212, to read as follows:

210.212. 1. As used in this section, the following terms mean:

(1) "Aquatic activity", an activity involving a pool or other body of water, including canoeing, that may expose a child to a risk of serious injury because of the inherent danger of the activity;

(2) "Camp counselor", an employee of a summer camp who interacts with and is responsible for the supervision and safety of children at a summer camp and engages in activities including, but not limited to, planning and leading group events, maintaining a schedule of activities for children at the camp, and responding to safety or behavioral incidents;

(3) "Medical emergency", an injury or the sudden and, at the time, unexpected onset of a health condition that manifests itself by symptoms of sufficient severity that would lead a prudent layperson, possessing an average knowledge of health and medicine, to believe that the absence of immediate medical care could result in:

(a) Placing the person's health in significant jeopardy;

(b) Serious impairment to a bodily function;

(c) Serious dysfunction of any bodily organ or part; or

(d) Inadequately controlled pain;

EXPLANATION — Matter enclosed in bold-faced brackets **[thus]** in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

18 **(4) "Summer camp", a program operated from May to September by a person**
19 **or organization with the primary function of providing a summer recreational program**
20 **for children five years of age or older and providing no child care for children under five**
21 **years of age in the same space or in the same outdoor play area simultaneously.**
22 **"Summer camp" shall not include any religion-based summer camp.**

23 **2. Any person or organization operating a summer camp in this state shall**
24 **ensure that employees of the summer camp are certified in operating equipment used in**
25 **any aquatic activity offered by the summer camp.**

26 **3. (1) Any person or organization operating a summer camp in this state shall**
27 **establish and retain onsite a written site-specific emergency plan, which shall be**
28 **approved by the director of the summer camp, outlining procedures that address the**
29 **following emergency situations:**

- 30 **(a) Natural disasters;**
31 **(b) A lost child or children;**
32 **(c) Fires;**
33 **(d) Transportation emergencies;**
34 **(e) Medical emergencies;**
35 **(f) Unauthorized persons on or near the premises of the summer camp;**
36 **(g) Aquatic emergencies, as appropriate for the site; and**
37 **(h) Other emergency situations, as appropriate for the site.**

38 **(2) Summer camp employees, including the director and camp counselors, shall**
39 **be trained in implementing the emergency plan procedures provided for under**
40 **subdivision (1) of this subsection.**

41 **4. At least fifty percent of the camp counselors employed by a summer camp,**
42 **and any director employed by a summer camp, shall be trained in cardiopulmonary**
43 **resuscitation and in the use of an automated external defibrillator.**

44 **5. Any aquatic activity offered by a summer camp to children attending the**
45 **summer camp and any related equipment shall be inspected annually by the relevant**
46 **state department including, but not limited to, the department of health and senior**
47 **services, the department of public safety, or the department of conservation. Such**
48 **inspections may be completed by local agencies if the standards employed by local**
49 **personnel are substantially equivalent to state standards and local personnel are**
50 **available for enforcement of such standards.**

51 **6. The department of elementary and secondary education shall maintain a list**
52 **of all licensed summer camps in this state and any complaints against any of those**
53 **summer camps. Such information shall be made available to the public.**

54 7. It shall be unlawful for any person or organization to establish, maintain, or
55 operate a summer camp that has not obtained a license under this section from the
56 department of elementary and secondary education. Every summer camp shall disclose
57 the licensure status of the camp to the parents or guardians of the children for whom the
58 camp provides recreation in the summer.

59 8. Any person or organization operating a summer camp in this state shall
60 maintain records of all inspections required under subsection 5 of this section of aquatic
61 activities offered by the summer camp to children attending the summer camp and of
62 any related equipment.

63 9. All camp counselors shall be subject to a criminal background check. Such
64 background check shall include:

65 (1) A state and Federal Bureau of Investigation fingerprint check;

66 (2) A search of the National Sex Offender Registry; and

67 (3) A search of the following registries, repositories, or databases in Missouri,
68 the state where the camp counselor resides, and each state where such camp counselor
69 resided during the preceding five years:

70 (a) The state criminal registry or repository, with the use of fingerprints being
71 required in the state where the camp counselor resides and optional in other states;

72 (b) The state sex offender registry or repository;

73 (c) The state family care safety registry; and

74 (d) The state-based child abuse and neglect registry and database.

75 10. Beginning May 1, 2028, any person or organization that violates the
76 provisions of this section shall be guilty of a class C misdemeanor for the first offense
77 and shall be assessed a fine not to exceed seven hundred fifty dollars and shall be guilty
78 of a class A misdemeanor and shall be assessed a fine of up to two thousand dollars per
79 day, not to exceed a total of ten thousand dollars, for any subsequent offense. If a person
80 or organization violates the provisions of this section prior to May 1, 2028, the person or
81 organization shall receive a written warning for each violation.

82 11. The department of elementary and secondary education may promulgate all
83 necessary rules and regulations for the administration of this section. Any rule or
84 portion of a rule, as that term is defined in section 536.010, that is created under the
85 authority delegated in this section shall become effective only if it complies with and is
86 subject to all of the provisions of chapter 536 and, if applicable, section 536.028. This
87 section and chapter 536 are nonseverable and if any of the powers vested with the
88 general assembly pursuant to chapter 536 to review, to delay the effective date, or to
89 disapprove and annul a rule are subsequently held unconstitutional, then the grant of

90 rulemaking authority and any rule proposed or adopted after August 28, 2026, shall be
91 invalid and void.

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