

SECOND REGULAR SESSION  
HOUSE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 3142**  
**103RD GENERAL ASSEMBLY**

6570H.03C

JOSEPH ENGLER, Chief Clerk

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**AN ACT**

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

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*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  
2 known as section 210.1700, to read as follows:

**210.1700. 1. This section shall be known and may be cited as "TJ and Heaven's  
2 27 Camp Safety Act".**

3 **2. As used in this section, the following terms mean:**

4 **(1) "Cabin" or "cabins", structures used to provide temporary sleeping  
5 quarters for campers;**

6 **(2) "Camper" or "campers", minors who are attending an overnight camp or  
7 residential camp on a day care or boarding basis;**

8 **(3) "Director", the director of the department of social services;**

9 **(4) "Department", the department of social services;**

10 **(5) "Flood plain", any area within a one-hundred-year flood plain, as designated  
11 by the Federal Emergency Management Agency. "Flood plain" includes any area  
12 removed from the one-hundred-year flood plain by a letter of map amendment, a letter  
13 of map revision based on fill, or a substantially similar administrative process conducted  
14 by the Federal Emergency Management Agency;**

15 **(6) "Floodway", an area identified on the most recent flood hazard map  
16 published by the Federal Emergency Management Agency;**

17 **(7) "Governmental entity", this state or a state agency or political subdivision of  
18 this state;**

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.

19           **(8) "Minor", a person under eighteen years of age;**

20           **(9) "Overnight camp", a program operated by a person or organization that**  
21 **includes the hours between 9:00 p.m. and 6:00 a.m. but not for two or more sequential**  
22 **overnights;**

23           **(10) "Residential camp", a program operated by a person or organization that**  
24 **includes the hours between 9:00 p.m. and 6:00 a.m. for two or more sequential**  
25 **overnights.**

26           **3. (1) No person or organization shall establish, maintain, or operate an**  
27 **overnight camp or residential camp for minors, or to advertise or hold himself or herself**  
28 **or itself out as being able to perform any of the services provided under this section,**  
29 **without having in effect a written license granted by the department.**

30           **(2) Every overnight camp or residential camp shall disclose the licensure status**  
31 **of the camp to the parents or guardians of the minors for which the camp provides a**  
32 **recreational program.**

33           **(3) Nothing in this subsection shall prevent the department from promulgating**  
34 **rules or regulations relating to supervision requirements and capacity limitations for**  
35 **overnight camps or residential camps.**

36           **4. (1) The department shall have the following powers and duties:**

37           **(a) After inspection, to grant licenses to persons to operate an overnight camp or**  
38 **residential camp if satisfied as to the good character and intent of the applicant and that**  
39 **such applicant is qualified and equipped to render services to minors at the camp. Each**  
40 **license shall specify the effective date;**

41           **(b) To inspect the conditions of the overnight camp or residential camp; inspect**  
42 **the camp's premises and minors being served; or deny, suspend, place on probation, or**  
43 **revoke the license of any person or organization that fails to obey the provisions of this**  
44 **section or the rules and regulations made by the department;**

45           **(c) To promulgate and issue rules and regulations the department deems**  
46 **necessary or proper in order to establish standards of service and care to be rendered by**  
47 **such licensees; and**

48           **(d) To determine what records shall be kept by such persons and organizations**  
49 **and the form thereof, and the methods to be used in keeping such records.**

50           **(2) The department may deny an application for a license if the department**  
51 **determines that an overnight camp or residential camp would operate such camp in an**  
52 **unsafe or hazardous manner. The department may, after inspection, find the licensure,**  
53 **denial of licensure, suspension, or revocation to be in the best interest of the state.**

54           **5. A person holding a license issued under this section shall:**

55           **(1) Renew the license annually by submitting a renewal application on a date**  
56 **determined by department rule on a form provided by the department; and**

57           **(2) Submit a renewal application no later than the thirtieth day after the date the**  
58 **person:**

59           **(a) Alters the boundaries of an overnight camp or residential camp operated by**  
60 **the person; or**

61           **(b) Completes any renovation to one or more existing cabins located on the**  
62 **premises of the camp that:**

63           **a. Increases or decreases the number of beds in an affected cabin; or**

64           **b. Alters the method of ingress or egress to an affected cabin.**

65           **6. (1) The department shall not issue a license or renew a license for an**  
66 **overnight camp or residential camp under this section if the overnight camp or**  
67 **residential camp operator is not in compliance with subsection 10 of this section or a**  
68 **rule adopted under such subsection.**

69           **(2) The department shall suspend an overnight camp or residential camp license**  
70 **issued by the department if the overnight camp or residential camp operator is in**  
71 **violation of subsection 10 of this section. The department may reinstate the license only**  
72 **on or after the date the department determines the overnight camp or residential camp**  
73 **and the operator are in compliance with subsection 10 of this section.**

74           **7. (1) Each overnight camp or residential camp staff member or volunteer who**  
75 **is eighteen years of age or older shall be subject to criminal background check.**

76           **(2) Each overnight camp or residential camp shall have at least one staff**  
77 **member who has certified training in cardiopulmonary resuscitation.**

78           **8. The department shall review the camper-to-counselor ratios for overnight**  
79 **stays at overnight camps or residential camps and provide to the director**  
80 **recommendations regarding minimum camper-to-counselor ratios. The director, by**  
81 **rule, shall establish minimum camper-to-counselor ratios for overnight stays at**  
82 **overnight camps, or residential camps when applicable.**

83           **9. The department shall investigate each complaint filed with the department for**  
84 **an overnight camp or residential camp to ensure that the overnight camp or residential**  
85 **camp operator is properly implementing the camp's approved emergency plan**  
86 **submitted as required under subsection 10 of this section.**

87           **10. (1) Each overnight camp or residential camp shall comply with all fire,**  
88 **safety, health, and sanitation inspections that may be required by state law or local**  
89 **ordinance.**

90           **(2) The director, by rule, shall require an overnight camp or residential camp**  
91 **operator in the emergency plan to do the following:**

- 92           **(a) Specify muster zones for campers and camp staff to gather in an emergency**  
93 **event that requires evacuation from any location within the premises of the camp;**
- 94           **(b) Establish procedures for responding to an emergency event, including:**  
95           **a. A lost camper;**  
96           **b. A fire on the premises of the camp;**  
97           **c. A severe injury, severe illness, serious accident, or death of one or more**  
98 **campers, visitors, camp staff, or camp volunteers that occurs:**  
99           **(i) On the camp premises; or**  
100           **(ii) While under the supervision of camp staff;**  
101           **d. An aquatic emergency if the camp borders a watercourse, lake, pond, or any**  
102 **other body of water;**  
103           **e. An epidemic;**  
104           **f. An unauthorized or unknown individual present on the camp's premises;**  
105           **g. A transportation emergency; and**  
106           **h. Any other natural disaster or emergency event required under department**  
107 **rules;**
- 108           **(c) Establish procedures to identify and account for each camper affected by the**  
109 **emergency event;**
- 110           **(d) Establish procedures to notify and communicate with:**  
111           **a. Local law enforcement agencies;**  
112           **b. Camp administrative and medical services staff; and**  
113           **c. The parents or legal guardians of each camper identified under paragraph (c)**  
114 **of this subdivision; and**
- 115           **(e) Designate a camp emergency preparedness coordinator.**
- 116           **(3) The director, by rule, shall require an overnight camp or residential camp**  
117 **operator to, at each overnight camp or residential camp the operator operates:**
- 118           **(a) Maintain at the camp an operable radio capable of providing real-time**  
119 **weather alerts issued by the National Weather Service or a similar professional weather**  
120 **service;**
- 121           **(b) Install and maintain at the camp an emergency warning system that is**  
122 **capable of alerting all campers and camp occupants of an emergency;**
- 123           **(c) Monitor safety alerts issued:**  
124           **a. By the National Weather Service or a similar professional weather service;**  
125 **and**
- 126           **b. By local river authorities, if applicable to the camp, or through other local**  
127 **emergency notification systems; and**
- 128           **(d) Certify the operator's compliance with this subdivision.**

129           **(4) In developing an overnight camp's or residential camp's emergency plan, an**  
130 **overnight camp or residential camp operator shall annually submit the initial or**  
131 **updated plan to the department for approval in the form and manner prescribed by the**  
132 **department.**

133           **(5) If the department determines an overnight camp's or residential camp's**  
134 **submitted emergency plan does not meet the minimum standards prescribed by**  
135 **department rules, the overnight camp or residential camp operator shall revise and**  
136 **resubmit the plan no later than the forty-fifth day after the date the operator receives**  
137 **notice from the department of the plan's deficiencies.**

138           **(6) An overnight camp or residential camp operator shall include any updated**  
139 **overnight camp or residential camp emergency plan as an attachment to each**  
140 **application to renew the operator's license under subsection 5 of this section.**

141           **(7) Notwithstanding any provision of law, no later than the tenth business day**  
142 **following the date the department approves an overnight camp's or residential camp's**  
143 **emergency plan or, if the department determines the plan is deficient under subdivision**  
144 **(5) of this subsection, the operator shall provide a copy of the plan to:**

145           **(a) The director of the emergency management agency of the county in which**  
146 **the camp is located; and**

147           **(b) The law enforcement agency or county sheriff's office where the camp is**  
148 **located.**

149           **(8) In developing an overnight camp's or residential camp's emergency plan, an**  
150 **overnight camp or residential camp operator may consult with an emergency**  
151 **management director described by subdivision (7) of this section.**

152           **(9) The department shall store in a digital database each emergency plan**  
153 **submitted to the department under this section and provide access to that database to**  
154 **the state emergency management agency.**

155           **(10) An overnight camp or residential camp operator shall:**

156           **(a) Provide the most recent version of an overnight camp's or residential camp's**  
157 **emergency plan submitted under this subsection to the parent or legal guardian of:**

158           **a. A camper who is participating in a camp session; or**

159           **b. A prospective camper who is registered to participate in a future camp**  
160 **session;**

161           **(b) Notify the parent or legal guardian of a camper or prospective camper**  
162 **described in paragraph (a) of this subdivision if any area of the camp is located within a**  
163 **flood plain; and**

164 (c) Ensure that the parent or legal guardian signs and submits to the operator a  
165 statement acknowledging receipt of the notice required under paragraph (b) of this  
166 subdivision.

167 (11) Not more than forty-eight hours after each overnight camp or residential  
168 camp session begins, the overnight camp or residential camp operator or an overnight  
169 camp or residential camp staff member shall conduct a mandatory safety orientation  
170 that:

171 (a) Notifies each camper of the camp's boundaries and any hazards present on  
172 the camp premises;

173 (b) Instructs each camper on behavioral expectations in an emergency event;  
174 and

175 (c) Provides each camper with developmentally appropriate instruction on the  
176 appropriate actions and procedures to follow in an emergency event, in accordance with  
177 the camp's emergency plan required under this subsection.

178 (12) At least once a year, an overnight camp or residential camp operator shall:

179 (a) Provide each overnight camp or residential camp staff member and  
180 volunteer with a copy of the camp's most recent emergency plan;

181 (b) Ensure each staff member and volunteer successfully completes training on  
182 the camp's emergency plan;

183 (c) Instruct each staff member and volunteer on the proper procedures to follow  
184 in an emergency event under the plan; and

185 (d) Maintain written records documenting each staff member's and volunteer's  
186 successful completion of the training required under this subdivision.

187 (13) An overnight camp or residential camp operator shall conspicuously post in  
188 each cabin on the overnight camp or residential camp premises the proper evacuation  
189 route described in the overnight camp or residential camp's emergency plan.

190 (14) An emergency plan submitted to, received by, or accessed by the  
191 department, the Missouri state emergency management agency, an emergency  
192 management agency director, or any other governmental entity under this subsection  
193 is confidential and not subject to disclosure under chapter 610.

194 11. (1) Any person or organization that makes materially false statements in  
195 order to obtain a license or the renewal thereof under this section shall be guilty of a  
196 class C misdemeanor for the first offense and shall be assessed a fine not to exceed seven  
197 hundred fifty dollars and shall be guilty of a class A misdemeanor and shall be assessed  
198 a fine of up to two thousand dollars per day, not to exceed a total of ten thousand dollars  
199 for subsequent offenses.

200           **(2) If the department proposes to deny, suspend, place on probation or revoke a**  
201 **license, the department shall serve upon the applicant or licensee written notice of the**  
202 **proposed action to be taken. The notice shall contain a statement of the type of action**  
203 **proposed, the basis for it, the date the action will become effective, and a statement that**  
204 **the applicant or licensee shall have thirty days to request in writing a hearing before the**  
205 **administrative hearing commission and that such request shall be made to the**  
206 **department. If no written request for a hearing is received by the department within**  
207 **thirty days of the delivery or mailing by certified mail of the notice to the applicant or**  
208 **licensee, the proposed discipline shall take effect on the thirty-first day after such**  
209 **delivery or mailing of the notice to the applicant or licensee. If the applicant or licensee**  
210 **makes a written request for a hearing, the department shall file a complaint with the**  
211 **administrative hearing commission within ninety days of receipt of the request for a**  
212 **hearing.**

213           **(3) The department may issue letters of censure or warning without formal**  
214 **notice or hearing. Additionally, the department may place a licensee on probation**  
215 **under chapter 621.**

216           **(4) The department may suspend any license simultaneously with the notice of**  
217 **the proposed action to be taken in subdivision (2) of this subsection if the department**  
218 **finds that there is a threat of imminent bodily harm to the minors at the overnight camp**  
219 **or residential camp. The notice of suspension shall include the basis of the suspension**  
220 **and the appeal rights of the licensee under this subsection. The licensee may appeal the**  
221 **decision to suspend the license to the department. The appeal shall be filed within ten**  
222 **days from the delivery or mailing by certified mail of the notice of appeal. A hearing**  
223 **shall be conducted by the department within ten days from the date the appeal is**  
224 **filed. The suspension shall continue in effect until the conclusion of the proceedings,**  
225 **including review thereof, unless sooner withdrawn by the department, dissolved by a**  
226 **court of competent jurisdiction or stayed by the administrative hearing**  
227 **commission. Any person aggrieved by a final decision of the department made under**  
228 **this section shall be entitled to judicial review in accordance with chapter 536.**

229           **(5) In addition to initiating proceedings under subdivision (1) of this subsection,**  
230 **or in lieu thereof, the prosecuting attorney of the county where the overnight camp or**  
231 **residential is located may file suit for a preliminary and permanent order overseeing or**  
232 **preventing the operation of the overnight camp or residential camp for violating any**  
233 **provision of this section. The order shall remain in force until such a time as the court**  
234 **determines that the overnight camp or residential camp is in substantial compliance. If**  
235 **the prosecuting attorney refuses to act or fails to act after receipt of notice from the**

236 department, the department may request that the attorney general seek an injunction of  
237 the operation of such camp.

238       **12.** The provisions of this section shall not apply to any overnight camp or  
239 residential camp offered by an institution of higher education located in this state.

240       **13.** The department shall promulgate all necessary rules and regulations for the  
241 administration of this section. Any rule or portion of a rule, as that term is defined in  
242 section 536.010, that is created under the authority delegated in this section shall  
243 become effective only if it complies with and is subject to all of the provisions of chapter  
244 536 and, if applicable, section 536.028. This section and chapter 536 are nonseverable  
245 and if any of the powers vested with the general assembly pursuant to chapter 536 to  
246 review, to delay the effective date, or to disapprove and annul a rule are subsequently  
247 held unconstitutional, then the grant of rulemaking authority and any rule proposed or  
248 adopted after August 28, 2026, shall be invalid and void.

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