

HCS HB 3142 -- SUMMER AND DAY CAMPS

SPONSOR: Parker

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on Emerging Issues by a vote of 11 to 2.

The following is a summary of the House Committee Substitute for HB 3142.

This bill creates the "TJ and Heaven's 27 Camp Safety Act".

This bill requires that a person or organization that establishes, maintains, or operates an overnight camp or residential camp, as those terms are defined in the bill, must obtain a license from the Department of Social Services. The Department will have certain duties to inspect such camps and to promulgate rules that the licensees must follow and will have the authority to deny a license application if the camp is operated in an unsafe or hazardous manner.

Licensees must renew their license annually in a manner described in the bill. The Department will not issue a license for a camp if the camp is not in compliance with the provisions of this bill. All employees or volunteers of the camp who 18 years or older must subject themselves to a criminal background check, and each camp must have at least one staff member who is certified in CPR.

The bill requires the Department to review camper-to-counselor ratios for camps if applicable, and establish minimum ratios by rule. The Department must investigate each complaint filed about a camp to ensure it is implementing the approved emergency plan. Each summer or day camp must comply with fire, safety, health, and sanitation inspections that may be required.

The director of the Department must require a camp operator to establish an emergency plan that:

- (1) Specifies muster zones to gather in an emergency event requiring evacuation;
- (2) Establishes procedures for emergency events, as described in the bill;
- (3) Establishes procedures to identify and account for each camper affected by the emergency event;

(4) Establishes procedures to notify and communicate with law enforcement, camp administrative and medical staff, and the parents or legal guardians of each camper; and

(5) Designates a camp emergency preparedness coordinator.

Additionally, the director must require that a camp operator:

(1) Maintain an operable radio capable of providing real-time weather alerts;

(2) Install and maintain an emergency warning system;

(3) Monitor safety alerts; and

(4) Certify compliance with these provisions.

An operator is required to annually submit the initial or updated emergency plan to the Department for approval. If it is determined that the submitted plan does not meet minimum standards, the operator must revise and resubmit the plan no later than 45 days after the date the operator receives notice from the Department. If approved, the operator must provide a copy of the plan to the law enforcement agency or county sheriff's office where the camp is located, and the director of the emergency management agency of the county in which the camp is located.

The Department will store each emergency plan in a digital database and provide access to the State's emergency management agency.

Operators are required to provide the most recent version of a camp's plan to the parent or legal guardian of a participating or prospective camper, to notify the parent or guardian of a camper whether any part of the camp is located in a flood plain, and to ensure that the parent or guardian signs and submits a statement acknowledging receipt of this information.

The bill requires, not more than 48 hours after each camp session begins, operators to conduct a mandatory safety orientation.

Additionally, at least once per year, camp operators must:

(1) Provide each camp staff member and volunteer a copy of the most recent emergency plan;

(2) Ensure each staff member and volunteer completes training on the camp's emergency plan;

(3) Instruct each staff member and volunteer on the proper procedures to follow in an emergency; and

(4) Maintain written records documenting each staff member's and volunteer's completion of the required training.

The proper evacuation route described in the emergency plan must be conspicuously posted in each cabin on the camp's premises.

A person or organization that makes a materially false statement to obtain or renew a license will be guilty of a Class C misdemeanor for a first offense, and a Class A misdemeanor for any subsequent offenses and assessed a fine for those offenses, as described in the bill.

If the Department proposes to deny, suspend, place on probation or revoke a license, the Department must serve notice upon the applicant and allow for a hearing on the matter. If there is a threat of imminent bodily harm to a minor at the camp, the Department must follow certain procedures, as described in the bill.

The provisions of this bill will not apply to any camp offered by an institution of higher learning in this state.

This bill is similar to HB 1860 (2024); and HB 1292 (2023).

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that most parents simply trust that a camp will have an emergency preparedness plan in place, and that the employees of the camp are all trained for such a plan. In Missouri, there is no mandated state licensing for camps, or any mandated inspections or criminal background checks. Supporters further state that deaths that occur at camps are preventable and unnecessary, and that camps should be held to the same standard that is applied to schools and daycare facilities.

Testifying in person for the bill were Representative Parker; Clarke Baker; Davin Hunt; Matthew Childress; Olga Mister; Arnie

Dienoff; Samantha Jones, In Tact; Travone Mister; Olga Mister; and American Camp Association.

OPPONENTS: Those who oppose the bill say that if this bill passes, it could lead to an unintended childcare shortage at a time when many families rely on care for their children throughout the year. Opponents further state that regulating this area of the economy will end up being a tax on church-based camps that already struggle to find funding for summer and day camps.

Testifying in person against the bill were Issachar LLC; Missouri Park and Recreation Association; Missouri Park and Recreation Association; Missouri AfterSchool Network; and Trent Young.

OTHERS: Others testifying on the bill say the provisions of this bill should be administered by the Department of Social Services because that Department already administers similar policies.

Testifying in person on the bill were Missouri Families for Home Education; Erin Balleine; and Suzanne McGinnis.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.