



SYNOPSIS:

Under existing law, the Alabama Department of Public Health regulates the sanitation of food preparation and lodging facilities at campsites, but there are no standards to ensure that camp operators have plans in place to address a range of situations in which campers and staff may be endangered, such as severe storms, flash flooding, or other natural or man-made emergencies.

This bill would require camps with residential facilities for campers to obtain an emergency preparedness license from the Alabama Emergency Management Agency as a condition for operation by demonstrating that certain requirements are met. These include requirements for hiring staff members, effective means of communication between staff members and campers in the event of an emergency, flood safety, sheltering, and emergency and evacuation plans, to include coordination with the local emergency management organization.

A BILL
TO BE ENTITLED
AN ACT



Regarding camp safety; to provide minimum requirements for emergency preparedness licensure of residential camp sites by the Alabama Emergency Management Agency, including staff retention and training, weather monitoring and communication, flood and weather safety, and emergency and evacuation plans.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. This act shall be known and may be cited as the Sarah Marsh Heaven's 27 Camp Safety Act.

Section 2. For purposes of this act, the following terms have the following meanings:

(1) AGENCY. The Alabama Emergency Management Agency.

(2) CABIN. Any structure in which campers sleep, including, but not limited to, a cabin, dormitory, or bunkhouse, regardless of camper capacity.

(3) CAMP. Any dedicated site in the State of Alabama where campers temporarily gather for recreational, religious, social, educational, or therapeutic purposes, whether operated for profit or nonprofit purposes, and which provides cabins for campers to stay overnight. The term does not include a dedicated location or structure for hunting or fishing or the use of available dormitory space or other residences at an educational institution.

(4) CAMPER. An individual who is 16 years of age or younger who is present and lodging at a camp for the purpose of participating in the recreational, religious, social, educational, or therapeutic activities provided under the supervision of the camp operator and staff.



57 (5) CAMP OPERATIONS. Physical custody of campers
58 outside of the presence of parents or legal guardians for a
59 period of days which requires staying overnight, during which
60 the camp operator and staff supervise campers' participation
61 in recreational, religious, social, educational, or
62 therapeutic activities.

63 (6) CAMP OPERATOR. a. The term includes:

64 1. An individual or entity that administers camp
65 operations, including the provision of staff, regardless of
66 any ownership interest in the camp operations, assets,
67 personal property, or the site on which the camp is located.

68 2. An individual or entity that maintains a camp that
69 includes staff members who may service dining, recreational,
70 or other facilities, but which otherwise does not administer
71 camp operations and leases the camp to other organizations to
72 conduct camp operations.

73 b. The term does not include any of the following:

74 1. An organization that leases a camp from a camp
75 operator for the purpose of administering camp operations.

76 2. An individual or entity that leases a camp for a
77 retreat, seminar, or training in which the majority of
78 participants are individuals who are 19 years of age or older.

79 3. An individual or entity that operates a conference
80 center, hotel, or resort that is leased by individuals or
81 entities, but is not responsible for custodial oversight of
82 the guests.

83 4. An owner of land that leases the land to a camp
84 operator but does not engage itself in camp operations on the



85 land.

86 (7) EMERGENCY PREPAREDNESS LICENSE. The license issued
87 by the agency to a camp operator which certifies that a camp
88 complies with this act.

89 (8) FLOODPLAIN. Any area within a 100-year floodplain
90 as designated by the Federal Emergency Management Agency
91 pursuant to the National Flood Insurance Act of 1968, 42
92 U.S.C. § 4001 et seq., including a letter of map revision
93 based on fill, or a similar administrative process by the
94 Federal Emergency Management Agency.

95 (9) LOCAL ORGANIZATION. The local organization for
96 emergency management as authorized in Section 31-9-10, Code of
97 Alabama 1975.

98 (10) STAFF MEMBER. An individual who is retained on an
99 employment, contractual, or volunteer basis by a camp operator
100 to provide camp operations, including security, maintenance,
101 orientation, organization, scheduling, instruction,
102 hospitality, emotional support, counseling, worship, meals or
103 refreshments, first aid, or supervision of recreation, sports,
104 or crafts.

105 Section 3. (a) On and after January 1, 2027, a camp
106 operator shall apply for and obtain an emergency preparedness
107 license in accordance with the requirements of this act as a
108 condition for conducting camp operations.

109 (b) An emergency preparedness license shall be valid
110 for a period of five years from the date of approval, unless a
111 camp operator within that period makes a material change to
112 the camp as described in subsection (c).



(c) A supplemental application to maintain an emergency preparedness license that has been issued shall be submitted at any time within 45 days of any of the following material changes to the camp:

(1) The boundaries of the camp are altered.

(2) The number of cabins is increased.

(3) Any renovation to an existing cabin which results in an increase of more than three in camper capacity.

(d) (1) When granting an approval to an application for an emergency preparedness license, the agency shall include in the notice of approval to the camp operator the date on which the five-year period shall expire, which shall be the deadline by which the license shall be renewed by submission of a supplemental application.

(2) If a camp operator submits a supplemental application to maintain an emergency preparedness license in compliance with subsection (c), upon approval of the supplemental application, the agency may extend the deadline required under subdivision (1), but no extension may be made for a period longer than five years from the date of approval of the supplemental application.

(3) No less than 90 days before the deadline set by the agency under subdivision (1) or subdivision (2), the agency shall remind the camp operator by a written and digital notice of the deadline for submission of the supplemental application for renewal of the license. Notwithstanding the deadline, a license shall remain valid pending the agency's determination to renew the license on a supplemental application that is



submitted no later than the deadline.

(e) No camp operator may apply for an emergency preparedness license without presenting documentation to the agency: (i) that the camp is regulated by the Alabama Department of Public Health for the sanitation of food preparation and lodging facilities as evidenced by a valid permit; and (ii) that the camp and camp operations are covered by liability insurance.

(f) When an initial application is submitted for an emergency preparedness license, within 90 days the agency shall notify the camp operator of the determination approving or disapproving the application.

(g) The agency may prescribe by rule the conditions required to implement the application and approval period conditions required in this section, and shall develop application forms and written instructions to a camp operator for documentation necessary to substantiate compliance with each section of this act.

(h) If a camp operator administers camp operations at more than one camp, a separate emergency preparedness license shall be required for each camp.

(i) The agency shall post, maintain, or update on the agency's website a list of each camp that has a valid license pursuant to this act.

Section 4. (a) No individual may be retained by a camp operator as a staff member who has been convicted of a crime that involves a sexual or violent act, including those unlawful under Chapter 6 of Title 13A, Code of Alabama 1975,



as disclosed by the Alabama State Law Enforcement Agency or a contractor that is: (i) recognized as reliable among professional camping organizations to perform criminal history background checks on prospective staff members; or (ii) is approved by the agency.

(b) Each camp operator shall submit to the agency a list of staff members retained by a camp: (i) in the initial emergency preparedness license application; or (ii) any supplemental application for renewal of the license due to expiration of an application deadline set by the agency pursuant to Section 3(d).

Section 5. (a) As of January 1, 2027, no camp operator shall construct or expand a cabin located in a floodplain.

(b) Notwithstanding subsection (a), the agency shall approve the continued operation of an existing cabin located in a floodplain if the camp operator demonstrates to the agency all of the following:

(1) The lowest finished floor elevation of the cabin is at least two feet above the applicable base flood elevation. Where a base flood elevation is not provided, the camp operator shall obtain and utilize the best available flood data to determine flood risk for the affected cabin.

(2) One or more high-water markers (HWM) as needed, based upon on-the-ground measures and real-time conditions, are installed at appropriate locations near the affected cabin.

(3) The cabin is not located within a designated regulatory floodway as identified on the most current flood



197 hazard map published by the Federal Emergency Management
198 Agency (FEMA).

199 (4) The emergency plan required under Section 8
200 includes enhanced evacuation procedures specific to flood
201 risk.

202 (c) Any cabin located or to be located in a camp that
203 is located in or contiguous to a zone mapped by FEMA as zone V
204 or zone VE in a coastal high hazard area is exempt from the
205 provisions of this section regardless of the FEMA zone
206 classification in which the cabin is located.

207 Section 6. As a condition for receiving an emergency
208 preparedness license, a camp shall operate with all of the
209 following equipment or capabilities:

210 (1) A NOAA Weather Radio that transmits "all-hazards"
211 notifications.

212 (2) A protocol to alert essential staff members of an
213 emergency, including a redundant procedure that does not rely
214 on text messaging or cellular service.

215 (3) A notification system that does not rely on an
216 Internet connection and that is capable of providing an alarm
217 and notification of an emergency which is audible both indoors
218 and outdoors to staff members and campers.

219 Section 7. Each camp shall have as many designated
220 sheltering spaces as are necessary to afford capacity for the
221 maximum number of campers and staff members who are overnight
222 residents.

223 Section 8. (a) The agency shall not approve an
224 emergency preparedness license for a camp unless the camp



maintains an emergency plan that provides for the protection and safety of campers and complies with the requirements of this section.

(b) An emergency plan shall contain procedures for responding to all of the following situations:

(1) A lost camper.

(2) A fire on camp premises.

(3) A severe illness, injury, or death of a camper, staff member, or visitor which occurs on camp premises or while under the supervision of a staff member.

(4) An incident or condition involving a watercourse, lake, or pond within or near the camp.

(5) A warning of impending severe weather, such as torrential rain, hail, thunderstorm, or a tornado.

(6) An outbreak of sickness or an epidemic.

(7) An unauthorized individual on the campsite.

(8) Any natural disaster that threatens life or property.

(9) An emergency or incident related to transportation of campers or staff members during the days of a camp session.

(c) An emergency plan shall designate one or more locations for campers and staff members to gather in case of an emergency that requires an evacuation of the camp or a shelter in place.

(d) (1) An emergency plan shall contain a procedure for responses to emergency threats as applicable to the camp as listed in subsection (b), which shall include, but not be limited to, both of the following:



253 a. Communication to campers and staff members on use of
254 prescribed evacuation routes.

255 b. Procedures for nighttime evacuation.

256 (2) The agency may prescribe that each camp have one or
257 more staff members to be the designated emergency preparedness
258 coordinators to monitor weather conditions, act as liaison
259 with the local organization, and ensure compliance with staff
260 training pursuant to Section 10(c)(2).

261 (e) An emergency plan shall contain a procedure to
262 shelter in place in case of a tornado, a severe thunderstorm
263 warning, or other sudden threat in which evacuation is
264 impractical or increases the risk of harm to campers.

265 (f) The procedures developed pursuant to subsections
266 (b) through (e) shall include all of the following:

267 (1) A protocol for identifying and accounting for each
268 camper affected by the emergency event.

269 (2) Notification of the local organization, with a
270 provision for ongoing communication with the local
271 organization as conditions unfold during an emergency.

272 (3) Ongoing communication between the camp operator and
273 all essential staff members pursuant to Section 6(2).

274 (4) Notification to each parent or legal guardian of a
275 camper of the emergency event and the safety measures taken as
276 soon as reasonably possible in relation to the emergency.

277 (g) In the preparation of an emergency plan, a camp
278 operator or emergency preparedness coordinator may consult
279 with the local organization, the agency, the American Camp
280 Association, or another professional group for camps



concerning the implementation of best practices.

Section 9. (a)(1) A camp operator shall submit the emergency plan required in Section 8 to the agency for approval with the initial application for an emergency preparedness license.

(2) The plan shall be updated or amended if a supplemental application to maintain an emergency preparedness license is required pursuant to Section 3(c) and included with the supplemental application as a condition for approval.

(3) If the plan is updated or amended for any reason other than for a mandatory condition pursuant to Section 3(c), the updated plan shall be submitted within 10 days of the update or amendment to the agency for approval, and the agency may dispense with resubmission of the updated or amended plan with the next required supplemental application for a renewal license in compliance with a deadline set by the agency pursuant to Section 3(d).

(4) If the agency determines that the emergency plan does not meet the minimum standards prescribed by Section 8, the agency shall notify the camp operator of the plan's deficiencies, and the camp operator shall remedy and resubmit a revised plan no later than 90 days after receiving the notice.

(5) Upon approval by the agency, the agency shall also provide a copy of an updated or amended version of the emergency plan to the local organization.

(b) The agency shall store the most recent version of an approved emergency plan in a digital database.



309 Section 10. (a)(1) Upon request by a parent or legal
310 guardian of a registered camper, a camp operator shall
311 provide: (i) a copy of the camp's current emergency
312 preparedness license; and (ii) a short, written summary of the
313 camp's emergency procedures.

314 (2) Upon request by a parent or legal guardian of a
315 prospective camper, a camp operator shall provide a copy of
316 the camp's emergency preparedness license.

317 (3) Upon request by a parent or legal guardian of a
318 registered or prospective camper, a camp operator shall
319 provide notice of any cabin that is located on a floodplain.

320 (b) Not more than 24 hours after the start of a camp
321 session, the camp operator and staff members shall conduct a
322 mandatory safety orientation that includes all of the
323 following information:

324 (1) The camp's boundaries and any hazards present on
325 camp premises.

326 (2) Developmentally appropriate instruction on the
327 appropriate actions, including evacuation procedures, to take
328 in case of an emergency event which conform to the emergency
329 plan.

330 (c)(1) Each staff member shall participate in a review
331 of the most recent version of the camp's emergency plan at
332 least once a year or upon approval of the agency of an
333 amendment or update to the plan pursuant to Section 9(a).

334 (2) Each staff member shall successfully complete
335 annual training on the proper procedures to follow according
336 to the emergency plan.



337 (3) A camp operator shall maintain a written or digital
338 record documenting each staff member's successful completion
339 of the training required under subdivision (2).

340 (d)(1) A camp operator as defined in Section 2(6)a.2.,
341 shall require, by lease or contract, that an organization that
342 is using the camp to administer camp operations do all of the
343 following:

344 a. Verify that the staff members supplied by the
345 organization to administer camp operations have been subjected
346 to a criminal history background check as provided in Section
347 4(a).

348 b. Agree that the staff members supplied by the
349 organization to administer camp operations shall familiarize
350 themselves with the camp operator's emergency plan and plan
351 for evacuation.

352 c. Agree that the staff members supplied by the
353 organization to administer camp operations, within 24 hours of
354 the arrival of campers, shall provide developmentally
355 appropriate instruction to the campers on the appropriate
356 actions to take during an emergency event which conform to the
357 camp operator's emergency plan.

358 (2) The emergency preparedness coordinator designated
359 by the camp operator pursuant to Section 8(d)(2) shall provide
360 an orientation and review of the camp emergency and evacuation
361 plans to the staff members supplied by the organization to
362 administer camp operations upon their arrival at the camp.

363 Section 11. (a) An agency disapproval of an initial or
364 supplemental application for an emergency preparedness



license, including disapproval of an emergency plan, shall specify in writing the condition or requirement in this act or in an agency rule which the applicant failed to meet or satisfy with sufficient detail that the applicant may understand the action or measure required to remedy the deficiency.

(b) (1) Any applicant, upon receipt of an agency disapproval under subsection (a), may submit a written appeal to the director of the agency within 30 days of receiving the decision of disapproval for reconsideration. The applicant may include with the appeal a written explanation as to why the application or submission should be approved. The director may afford the applicant an informal hearing to explain the reason the application or submission should be approved.

(2) Upon reconsideration, the director may:

a. Reverse the decision based on the applicant's written explanation or information gathered at an informal hearing; or

b. Uphold the decision based on the applicant's written explanation or information gathered at an informal hearing.

(3) The decision of the agency director pursuant to subdivision (2) shall be final but without prejudice to the applicant's right to again apply for approval at any time.

(c) The agency may adopt rules to govern appeals, with criteria for granting a variance to a condition or requirement when an applicant demonstrates that the measures being planned or implemented otherwise protect the safety of campers.

Section 12. (a) The agency may inspect a camp to verify



393 compliance. Except in an emergency, or when responding to a
394 specific, credible complaint alleging noncompliance or unsafe
395 conditions, the agency shall conduct the inspection at a time
396 agreed upon with the camp operator.

397 (b) An inspection shall be limited to verifying
398 required documentation, staff member training records, and the
399 on-site availability of safety plans approved by the agency.

400 Section 13. (a) A Youth Camp Safety Advisory Council
401 (advisory council) is established as an independent council to
402 advise the agency on the implementation of the requirements of
403 this act: (i) during the period between the passage of this
404 act and January 1, 2027; and (ii) on an ongoing basis after
405 the act takes effect. This council shall be advisory only and
406 shall have no independent regulatory authority.

407 (b) (1) The membership of the advisory council shall
408 consist of all of the following:

409 a. The Director of the Alabama Emergency Management
410 Agency, or his or her designee.

411 b. A representative of the Alabama Department of Public
412 Health, to be appointed by the State Health Officer.

413 c. The Chief of the Alabama Office of Water Resources
414 of the Alabama Department of Economic and Community Affairs,
415 or his or her designee.

416 d. The Secretary of the Alabama State Law Enforcement
417 Agency, or his or her designee.

418 e. Two representatives from the Association of Alabama
419 Camps, to be appointed by the president.

420 f. A representative from the Alabama Association of



421 Rescue Squads, to be appointed by the executive board
422 director.

423 g. A representative from the Campaign for Camp Safety
424 who is a resident of the state and who has attended a camp in
425 the state or has a child or close relative who is attending a
426 camp in the state, to be chosen by the membership.

427 h. A representative from the Alabama Association of
428 Emergency Managers.

429 i. A representative from the YMCA who is experienced in
430 camping matters, to be appointed by the Governor.

431 j. A representative from Scouting America who is
432 experienced in camping matters, to be appointed by the
433 Governor.

434 k. A representative from Camp McDowell, to be appointed
435 by the board of directors of the camp.

436 (2) Appointments to the advisory council shall be
437 coordinated to assure that council membership is inclusive and
438 reflects the racial, gender, geographic, urban, rural, and
439 economic diversity of the state.

440 (3) Members from state departments or agencies shall
441 serve terms that coincide with their respective offices or
442 appointments. No individual shall continue to serve on the
443 advisory council when he or she or, if applicable, the
444 designating officer, no longer serves in the office to which
445 he or she was appointed.

446 (4) Members shall serve without compensation and be
447 reimbursed by their respective departments or agencies or, if
448 applicable, according to the policy of their respective



449 organizations.

450 (c)(1) The advisory council shall hold an
451 organizational meeting in person no later than 45 days after
452 the enactment of this section at the call of the chair, who
453 shall be the Director of the Alabama Emergency Management
454 Agency, or his or her designee.

455 (2) At the organizational meeting, the council shall
456 elect a cochair, who shall be one of representatives from the
457 Association of Alabama Camps.

458 (3) After the organizational meeting, the advisory
459 council shall meet at the call of the chair and proceedings
460 may be conducted by electronic means.

461 (4) The advisory council shall meet as necessary to
462 fulfill the responsibilities described in subsection (a).

463 (d) The advisory council shall dissolve three years
464 from the date this section takes effect.

465 Section 14. Nothing in this act shall be interpreted to
466 change any element of civil liability with respect to any
467 possible claim against a camp nor create a cause of action
468 solely for a violation of this act.

469 Section 15. The agency is authorized to adopt rules
470 necessary to implement, administer, and enforce the
471 requirements of this act, and may not adopt any rules that
472 expand the scope of this act or which impose additional duties
473 not expressly provided for herein.

474 Section 16. This act shall become effective on January
475 1, 2027, except Section 13 shall take effect immediately upon
476 approval by the Governor.