

HB381 INTRODUCED



1 HB381
2 ZQD5YRR-1
3 By Representatives Faulkner, Ledbetter, Hulsey, Crow,
4 Stringer, Treadaway, Kirkland, DuBose, Moore (P), Pettus,
5 Underwood, Bedsole, Brinyark, Estes, Wilcox, Stadthagen,
6 Colvin, Baker, Ingram, Sells, Shirey, Gidley, Lamb, Lovvorn,
7 Moore (M), Datcher, Morris, Sellers, Yarbrough, Lawrence, Lee,
8 Clouse, Bracy, Tillman, Jackson, Hendrix, Boyd, Ross, Ensler,
9 Lands, Travis, Clarke, Hill, Carns, Reynolds, Paramore, Whitt,
10 Crawford, Standridge, Starnes, Easterbrook, Bolton, Fincher,
11 McClammy, Gray, Rafferty, McCampbell, England, Chestnut,
12 Warren, Drummond, Forte, Holk-Jones, Givens, Garrett, Pringle,
13 Marques, Sorrells, Brown, Smith, Allbright, Rehm
14 RFD: State Government
15 First Read: 03-Feb-26



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4 SYNOPSIS:

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

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

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 A BILL

 TO BE ENTITLED

 AN ACT



29
30 Regarding camp safety; to provide minimum requirements
31 for emergency preparedness licensure of residential camp sites
32 by the Alabama Emergency Management Agency, including staff
33 retention and training, weather monitoring and communication,
34 flood and weather safety, and emergency and evacuation plans.

35 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

40 (1) AGENCY. The Alabama Emergency Management Agency.

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

44 (3) CAMP. Any dedicated site in the State of Alabama
45 where campers temporarily gather for recreational, religious,
46 social, educational, or therapeutic purposes, whether operated
47 for profit or nonprofit purposes, and which provides camp
48 operations that require campers to stay overnight. The term
49 does not include a dedicated location or structure for hunting
50 or fishing or the use of available dormitory space or other
51 residences at an educational institution for a gathering of
52 campers for educational, instructional, or training purposes.

53 (4) CAMP OPERATIONS. Physical custody of campers
54 outside of the presence of parents or legal guardians for a
55 period of days which requires staying overnight, during which
56 the camp operator and staff supervise campers' participation



57 in recreational, religious, social, educational, or
58 therapeutic activities.

59 (5) CAMP OPERATOR. An individual or entity that
60 administers camp operations, including the provision of staff,
61 regardless of any ownership interest in the camp operations,
62 assets, personal property, or the site on which the camp is
63 located. The term does not include either of the following:

64 a. A religious or nonprofit organization that leases a
65 camp.

66 b. A person that leases a camp for a retreat, seminar,
67 or training in which the majority of participants are
68 individuals who are 19 years of age or older.

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

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

77 (8) FLOODPLAIN. Any area within a 100-year floodplain
78 as designated by the Federal Emergency Management Agency
79 pursuant to the National Flood Insurance Act of 1968, 42
80 U.S.C. § 4001 et seq., including any area removed from the
81 100-year floodplain by a letter of map amendment, a letter of
82 map revision based on fill, or a similar administrative
83 process by the Federal Emergency Management Agency.

84 (9) LOCAL ORGANIZATION. The local organization for



85 emergency management as authorized in Section 31-9-10, Code of
86 Alabama 1975.

87 (10) STAFF MEMBER. An individual who is retained on an
88 employment, contractual, or volunteer basis by a camp operator
89 to provide camp operations that require the individual to stay
90 overnight, including security, maintenance, orientation,
91 organization, scheduling, instruction, hospitality, emotional
92 support, counseling, worship, meals or refreshments, first
93 aid, or supervision of recreation, sports, or crafts.

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

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

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

106 (1) The boundaries of the camp are altered.

107 (2) The number of cabins is increased or reduced by any
108 means, including construction, renovation, closure,
109 demolition, or conversion to another use.

110 (3) Any renovation to an existing cabin which results
111 in a change in the camper capacity.

112 (d) (1) When granting an approval to an application for



113 an emergency preparedness license, the agency shall include in
114 the notice of approval to the camp operator the date on which
115 the five-year period shall expire, which shall be the deadline
116 by which the license shall be renewed by submission of a
117 supplemental application.

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

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

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

140 (f) When an initial application is submitted for an



141 emergency preparedness license, within 90 days the agency
142 shall notify the camp operator of the determination approving
143 or disapproving the application.

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

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

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

156 Section 4. (a) No individual may be retained as a staff
157 member who has been convicted of a felony or any crime
158 involving any unlawful sexual or violent act, or any act
159 involving theft, forgery, fraud, or any similar act, as
160 disclosed by the Alabama State Law Enforcement Agency or a
161 contractor that is: (i) recognized as reliable among
162 professional camping organizations to perform background
163 checks on prospective staff members; and (ii) is approved by
164 the agency.

165 (b) Each camp operator shall submit to the agency proof
166 of compliance with this section for each staff member retained
167 by a camp: (i) in the initial emergency preparedness license
168 application; or (ii) any supplemental application for renewal

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169 of the license due to expiration of an application deadline
170 set by the agency pursuant to Section 3(d).

171 Section 5. As of January 1, 2027, no camp shall operate
172 a cabin as defined in this act which is located in a
173 floodplain.

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

177 (1) A NOAA Weather Radio that transmits "all-hazards"
178 notifications.

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

182 (3) A notification system that does not rely on an
183 Internet connection and that is capable of providing an alarm
184 and notification of an emergency which is audible both indoors
185 and outdoors to staff members and campers.

186 Section 7. Each camp shall have as many designated
187 sheltering spaces as are necessary to afford capacity for the
188 maximum number of campers and staff members who are overnight
189 residents.

190 Section 8. (a) The agency shall not approve an
191 emergency preparedness license for a camp unless the camp
192 maintains an emergency plan that provides for the protection
193 and safety of campers and complies with the requirements of
194 this section.

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



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(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.

(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
es to a flash flood, wildfire, hurricane, or other
riate threat as adopted by rule of the agency, which
include, but not be limited to, both of the following:

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

b. Procedures for safe nighttime evacuation.

(2) The agency may prescribe that each camp have one or more staff members to be the designated emergency preparedness



225 coordinators to monitor weather conditions, act as liaison
226 with the local organization, and ensure compliance with staff
227 training pursuant to Section 10(c)(2).

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

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

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

236 (2) Notification of the local organization, with a
237 provision for ongoing communication with the local
238 organization as conditions unfold during an emergency.

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

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

244 (g) In the preparation of an emergency plan, a camp
245 operator or emergency preparedness coordinator may consult
246 with the local organization, the agency, the American Camp
247 Association, or another professional group for camps
248 concerning the implementation of best practices.

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



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

257 (3) If the plan is updated or amended for any reason
258 other than for a mandatory condition pursuant to Section 3(c),
259 the updated plan shall be immediately submitted to the agency
260 for approval, and the agency may dispense with resubmission of
261 the updated or amended plan with the next required
262 supplemental application for a renewal license in compliance
263 with a deadline set by the agency pursuant to Section 3(d).

264 (4) If the agency determines that the emergency plan
265 does not meet the minimum standards prescribed by Section 8 or
266 by agency rule, the agency shall notify the camp operator of
267 the plan's deficiencies, and the camp operator shall remedy
268 and resubmit a revised plan no later than 45 days after
269 receiving the notice.

273 (b) The agency shall store the most recent version of
274 an approved emergency plan in a digital database for immediate
275 access by the Alabama State Law Enforcement Agency, the
276 Department of Conservation and Natural Resources, emergency
277 service providers, and any other department, agency, or
278 political subdivision upon a showing of reasonable cause.

279 Section 10. (a)(1) Upon request, a camp operator shall
280 provide the most recent version of the emergency plan to the



281 parent or legal guardian of: (i) a camper who is registered in
282 a pending camp session; or (ii) a prospective camper who may
283 be registering for a camp session scheduled within 12 months.

284 (2) The information required under subdivision (1)
285 shall include notice to the parent or legal guardian if any
286 area of the camp is located within a floodplain.

287 (b) Not more than 24 hours after the start of a camp
288 session, the camp operator and staff members shall conduct a
289 mandatory safety orientation that includes all of the
290 following information:

291 (1) The camp's boundaries and any hazards present on
292 camp premises.

293 (2) Behavioral expectations.

294 (3) Developmentally appropriate instruction on the
295 appropriate actions, including evacuation procedures, to take
296 in case of an emergency event which conform to the emergency
297 plan.

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

302 (2) Each staff member shall successfully complete
303 annual training on the proper procedures to follow according
304 to the emergency plan.

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

308 Section 11. (a) An agency disapproval of an initial or



309 supplemental application for an emergency preparedness
310 license, including disapproval of an emergency plan, shall
311 specify in writing the condition or requirement in this act or
312 in an agency rule which the applicant failed to meet or
313 satisfy with sufficient detail that the applicant may
314 understand the action or measure required to remedy the
315 deficiency.

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

324 (2) Upon reconsideration, the director may:

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

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

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

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



337 Section 12. By receiving a emergency preparedness
338 license pursuant to this act, a camp operator consents to
339 on-site inspection of the camp and camp operations by the
340 agency at any time to verify compliance, the procedures for
341 which may be adopted by rule of the agency.

342 Section 13. (a) A Youth Camp Safety Advisory Council
343 (advisory council) is established as an independent council to
344 fulfill the following responsibilities:

345 (1) Advise the agency on the adoption of rules to
346 implement, administer, and interpret the requirements of this
347 act: (i) during the period between the passage of this act and
348 January 1, 2027; and (ii) on an ongoing basis after the act
349 takes effect.

350 (2) Monitor nationwide developments or innovation in
351 camp safety and emergency response.

352 (3) Advise and recommend to the agency additional
353 legislation to ensure that safety standards for youth camps in
354 the state are current.

355 (4) Solicit information or concerns from stakeholders,
356 such as camp operators, parents or guardians of campers, and
357 the agency.

358 (b) (1) The membership of the advisory council shall
359 consist of all of the following:

360 a. The Director of the Alabama Emergency Management
361 Agency, or his or her designee.

362 b. The Director of the Bureau of Prevention, Promotion,
363 and Support of the Alabama Department of Public Health, or his
364 or her designee.



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365 c. The Commissioner of the Department of Conservation
366 and Natural Resources, or his or her designee.

367 d. The Chair of the State Forestry Commission, or his
368 or her designee.

369 e. The Chief of the Alabama Office of Water Resources
370 of the Alabama Department of Economic and Community Affairs,
371 or his or her designee.

372 f. The Secretary of the Alabama State Law Enforcement
373 Agency, or his or her designee.

374 g. Two representatives from the Association of Alabama
375 Camps, to be appointed by the president.

376 h. A representative from the Alabama Association of
377 Rescue Squads, to be appointed by the executive board
378 director.

379 i. A representative from the Campaign for Camp Safety,
380 to be chosen by the membership.

381 j. A representative from the Alabama Association of
382 Emergency Managers.

383 (2) Appointments to the advisory council shall be
384 coordinated to assure that council membership is inclusive and
385 reflects the racial, gender, geographic, urban, rural, and
386 economic diversity of the state.

387 (3) Members from state departments or agencies shall
388 serve terms that coincide with their respective offices or
389 appointments. No individual shall continue to serve on the
390 advisory council when he or she or, if applicable, the
391 designating officer, no longer serves in the office to which
392 he or she was appointed.



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393 (4) Members shall serve without compensation and be
394 reimbursed by their respective departments or agencies or, if
395 applicable, according to the policy of their respective
396 organizations.

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

402 (2) At the organizational meeting, the council shall
403 elect a cochair, who shall be one of representatives from the
404 Association of Alabama Camps.

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

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

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

412 Section 14. Evidence that a camp operator failed to
413 comply with any requirement imposed by this act which is a
414 condition for receiving an emergency preparedness license
415 shall not be admissible for the purpose of establishing prima
416 facie proof of negligence.

417 Section 15. The agency is authorized to adopt any rule
418 necessary to implement, administer, interpret, and enforce the
419 requirements of this act.

420 Section 16. This act shall become effective on January

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421 1, 2027, except Section 13 shall take effect immediately upon
422 approval by the Governor.