



OFFERED BY SENATOR ROBERTS

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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



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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).



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

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

118 (2) The number of cabins is increased.

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

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

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

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



141 submitted no later than the deadline.

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

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

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

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

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

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



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

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

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

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

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

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

195 (3) The cabin is not located within a designated
196 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 in an area mapped by FEMA as zone
203 V or zone VE in a coastal high hazard area is exempt from the
204 provisions of this section.

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

208 (1) A NOAA Weather Radio that transmits "all-hazards"
209 notifications.

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

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

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

221 Section 8. (a) The agency shall not approve an
222 emergency preparedness license for a camp unless the camp
223 maintains an emergency plan that provides for the protection
224 and safety of campers and complies with the requirements of



225 this section.

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

228 (1) A lost camper.

229 (2) A fire on camp premises.

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

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

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

237 (6) An outbreak of sickness or an epidemic.

238 (7) An unauthorized individual on the campsite.

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

241 (9) An emergency or incident related to transportation
242 of campers or staff members.

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

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

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



253 b. Procedures for nighttime evacuation.

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

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

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

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

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

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

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

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

280 Section 9. (a)(1) A camp operator shall submit the



281 emergency plan required in Section 8 to the agency for
282 approval with the initial application for an emergency
283 preparedness license.

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

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

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

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

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

307 Section 10. (a) (1) Upon request by a parent or legal
308 guardian of a registered camper, a camp operator shall



309 provide: (i) a copy of the camp's current emergency
310 preparedness license; and (ii) a short, written summary of the
311 camp's emergency procedures.

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

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

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

322 (1) The camp's boundaries and any hazards present on
323 camp premises.

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

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

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

335 (3) A camp operator shall maintain a written or digital
336 record documenting each staff member's successful completion



337 of the training required under subdivision (2).

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

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

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

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

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

361 Section 11. (a) An agency disapproval of an initial or
362 supplemental application for an emergency preparedness
363 license, including disapproval of an emergency plan, shall
364 specify in writing the condition or requirement in this act or



365 in an agency rule which the applicant failed to meet or
366 satisfy with sufficient detail that the applicant may
367 understand the action or measure required to remedy the
368 deficiency.

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

377 (2) Upon reconsideration, the director may:

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

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

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

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

390 Section 12. (a) The agency may inspect a camp to verify
391 compliance. Except in an emergency, or when responding to a
392 specific, credible complaint alleging noncompliance or unsafe



393 conditions, the agency shall conduct the inspection at a time
394 agreed upon with the camp operator.

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

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

405 (b) (1) The membership of the advisory council shall
406 consist of all of the following:

407 a. The Director of the Alabama Emergency Management
408 Agency, or his or her designee.

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

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

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

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

418 f. A representative from the Alabama Association of
419 Rescue Squads, to be appointed by the executive board
420 director.



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

425 h. A representative from the Alabama Association of
426 Emergency Managers.

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

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

432 (2) Appointments to the advisory council shall be
433 coordinated to assure that council membership is inclusive and
434 reflects the racial, gender, geographic, urban, rural, and
435 economic diversity of the state.

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

442 (4) Members shall serve without compensation and be
443 reimbursed by their respective departments or agencies or, if
444 applicable, according to the policy of their respective
445 organizations.

446 (c) (1) The advisory council shall hold an
447 organizational meeting in person no later than 45 days after
448 the enactment of this section at the call of the chair, who



449 shall be the Director of the Alabama Emergency Management
450 Agency, or his or her designee.

451 (2) At the organizational meeting, the council shall
452 elect a cochair, who shall be one of representatives from the
453 Association of Alabama Camps.

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

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

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

461 Section 14. Nothing in this act shall be interpreted to
462 change any element of civil liability with respect to any
463 possible claim against a camp nor create a cause of action
464 solely for a violation of this act.

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

470 Section 16. This act shall become effective on January
471 1, 2027, except Section 13 shall take effect immediately upon
472 approval by the Governor.