



**House State Government Reported Substitute for
HB381**

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5 A BILL

6 TO BE ENTITLED

7 AN ACT

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

14 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

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

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

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

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

23 (3) CAMP. Any dedicated site in the State of Alabama
24 where campers temporarily gather for recreational, religious,
25 social, educational, or therapeutic purposes, whether operated
26 for profit or nonprofit purposes, and which provides **cabins**
27 **for** campers to stay overnight. The term does not include a
28 dedicated location or structure for hunting or fishing or the



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29 use of available dormitory space or other residences at an
30 educational institution.

31 (4) CAMP OPERATIONS. Physical custody of campers
32 outside of the presence of parents or legal guardians for a
33 period of days which requires staying overnight, during which
34 the camp operator and staff supervise campers' participation
35 in recreational, religious, social, educational, or
36 therapeutic activities.

37 (5) CAMP OPERATOR. a. The term includes:

38 1. An individual or entity that administers camp
39 operations, including the provision of staff, regardless of
40 any ownership interest in the camp operations, assets,
41 personal property, or the site on which the camp is located.

42 2. An individual or entity that maintains a camp that
43 includes staff members who may service dining, recreational,
44 or other facilities, but which otherwise does not administer
45 camp operations and leases the camp to other organizations to
46 conduct camp operations.

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

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

50 2. A person that leases a camp for a retreat, seminar,
51 or training in which the majority of participants are
52 individuals who are 19 years of age or older.

53 3. An owner of land that leases the land to a camp
54 operator but does not engage itself in camp operations on the
55 land.

56 (6) CAMPER. An individual who is 16 years of age or



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57 younger who is present and lodging at a camp for the purpose
58 of participating in the recreational, religious, social,
59 educational, or therapeutic activities provided under the
60 supervision of the camp operator and staff.

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

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

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

73 (10) STAFF MEMBER. An individual who is retained on an
74 employment, contractual, or volunteer basis by a camp operator
75 to provide camp operations that require the individual to stay
76 overnight, including security, maintenance, orientation,
77 organization, scheduling, instruction, hospitality, emotional
78 support, counseling, worship, meals or refreshments, first
79 aid, or supervision of recreation, sports, or crafts.

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

84 (b) An emergency preparedness license shall be valid



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85 for a period of five years from the date of approval, unless a
86 camp operator within that period makes a material change to
87 the camp as described in subsection (c).

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

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

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

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

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

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

111 (3) No less than 90 days before the deadline set by the
112 agency under subdivision (1) or subdivision (2), the agency



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113 shall remind the camp operator by a written or digital notice
114 of the deadline for submission of the supplemental application
115 for renewal of the license. Notwithstanding the deadline, a
116 license shall remain valid pending the agency's determination
117 to renew the license on a supplemental application that is
118 submitted no later than the deadline.

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

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

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

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

139 (i) The agency shall post, maintain, or update on the
140 agency's website a list of each camp that has a valid license



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141 pursuant to this act.

142 Section 4. (a) No individual may be retained by a camp
143 operator as a staff member who has been convicted of a felony
144 or any crime involving any unlawful sexual or violent act, or
145 any act involving theft, forgery, fraud, or any similar act,
146 as disclosed by the Alabama State Law Enforcement Agency or a
147 contractor that is: (i) recognized as reliable among
148 professional camping organizations to perform background
149 checks on prospective staff members; and (ii) is approved by
150 the agency.

151 (b) Each camp operator shall submit to the agency proof
152 of compliance with this section for each staff member retained
153 by a camp: (i) in the initial emergency preparedness license
154 application; or (ii) any supplemental application for renewal
155 of the license due to expiration of an application deadline
156 set by the agency pursuant to Section 3(d).

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

159 (b) Notwithstanding subsection (a), the agency may
160 approve the continued operation of an existing cabin located
161 in a floodplain if the area encompassing the cabin is removed
162 from a floodplain by a letter of map amendment if the camp
163 operator demonstrates all of the following:

164 (1) The lowest finished floor elevation of the cabin is
165 at least two feet above the applicable base flood elevation.

166 (2) The cabin is not located within a designated
167 floodway.

168 (3) The emergency plan required under Section 8



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169 includes enhanced evacuation procedures specific to flood
170 risk.

171 (c) Removal of a cabin from a floodplain by a letter of
172 map amendment shall not, by itself, constitute compliance with
173 this section.

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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197 (1) A lost camper.

198 (2) A fire on camp premises.

199 (3) A severe illness, injury, or death of a camper,

200 staff member, or visitor which occurs on camp premises or

201 while under the supervision of a staff member.

202 (4) An incident or condition involving a watercourse,

203 lake, or pond within or near the camp.

204 (5) A warning of impending severe weather, such as

205 torrential rain, hail, thunderstorm, or a tornado.

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

207 (7) An unauthorized individual on the campsite.

208 (8) Any natural disaster that threatens life or

209 property.

210 (9) An emergency or incident related to transportation

211 of campers or staff members.

212 (c) An emergency plan shall designate one or more

213 locations for campers and staff members to gather in case of

214 an emergency that requires an evacuation of the camp or a

215 shelter in place.

216 (d) (1) An emergency plan shall contain a procedure for

217 responses to a flash flood, wildfire, hurricane, or other

218 appropriate threat as adopted by rule of the agency, which

219 shall include, but not be limited to, both of the following:

220 a. Communication to campers and staff members on use of

221 prescribed evacuation routes.

222 b. Procedures for safe nighttime evacuation.

223 (2) The agency may prescribe that each camp have one or

224 more staff members to be the designated emergency preparedness



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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.



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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.

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

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: (i) the most recent version of the emergency plan to



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281 the parent or legal guardian of a camper who is registered in
282 a pending camp session; or (ii) proof that the camp has a
283 valid emergency preparedness license to a prospective camper
284 who may be registering for a camp session scheduled within 12
285 months.

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

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

293 (1) The camp's boundaries and any hazards present on
294 camp premises.

295 (2) Behavioral expectations.

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

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

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

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



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309 of the training required under subdivision (2).

310 (d) (1) A camp operator as defined in Section 2(5)a.2.,
311 by lease or other contract, shall require an organization that
312 is using the camp to administer camp operations to do all of
313 the following:

314 a. Provide documentation that the staff members
315 supplied by the organization to administer camp operations
316 have been subjected to a criminal background check as provided
317 in Section 4(a).

318 b. Agree that the staff members supplied by the
319 organization to administer camp operations shall familiarize
320 themselves with the camp operator's emergency plan and plan
321 for evacuation.

322 c. Agree that the staff members supplied by the
323 organization to administer camp operations, within 24 hours of
324 the arrival of campers, shall provide developmentally
325 appropriate instruction to the campers on the appropriate
326 actions to take during an emergency event which conform to the
327 camp operator's emergency plan.

328 (2) The emergency preparedness coordinator designated
329 by the camp operator pursuant to Section 8(d)(2) shall provide
330 an orientation and review of the camp emergency and evacuation
331 plans to the staff members supplied by the organization to
332 administer camp operations upon their arrival at the camp.

333 Section 11. (a) An agency disapproval of an initial or
334 supplemental application for an emergency preparedness
335 license, including disapproval of an emergency plan, shall
336 specify in writing the condition or requirement in this act or



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337 in an agency rule which the applicant failed to meet or
338 satisfy with sufficient detail that the applicant may
339 understand the action or measure required to remedy the
340 deficiency.

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

349 (2) Upon reconsideration, the director may:

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

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

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

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

362 Section 12. By receiving a emergency preparedness
363 license pursuant to this act, a camp operator consents to
364 on-site inspection of the camp and camp operations by the



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365 agency at any time to verify compliance, the procedures for
366 which may be adopted by rule of the agency.

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

370 (1) Advise the agency on the adoption of rules to
371 implement, administer, and interpret the requirements of this
372 act: (i) during the period between the passage of this act and
373 January 1, 2027; and (ii) on an ongoing basis after the act
374 takes effect.

375 (2) Monitor nationwide developments or innovation in
376 camp safety and emergency response.

377 (3) Advise and recommend to the agency additional
378 legislation to ensure that safety standards for youth camps in
379 the state are current.

380 (4) Solicit information or concerns from stakeholders,
381 such as camp operators, parents or guardians of campers, and
382 the agency.

383 (b) (1) The membership of the advisory council shall
384 consist of all of the following:

385 a. The Director of the Alabama Emergency Management
386 Agency, or his or her designee.

387 b. The Director of the Bureau of Prevention, Promotion,
388 and Support of the Alabama Department of Public Health, or his
389 or her designee.

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

392 d. The Chair of the State Forestry Commission, or his



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393 or her designee.

394 e. The Chief of the Alabama Office of Water Resources
395 of the Alabama Department of Economic and Community Affairs,
396 or his or her designee.

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

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

401 h. A representative from the Alabama Association of
402 Rescue Squads, to be appointed by the executive board
403 director.

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

406 j. A representative from the Alabama Association of
407 Emergency Managers.

408 k. A representative from the YMCA who is experienced in
409 camping matters, to be appointed by the Governor.

410 (2) Appointments to the advisory council shall be
411 coordinated to assure that council membership is inclusive and
412 reflects the racial, gender, geographic, urban, rural, and
413 economic diversity of the state.

414 (3) Members from state departments or agencies shall
415 serve terms that coincide with their respective offices or
416 appointments. No individual shall continue to serve on the
417 advisory council when he or she or, if applicable, the
418 designating officer, no longer serves in the office to which
419 he or she was appointed.

420 (4) Members shall serve without compensation and be



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421 reimbursed by their respective departments or agencies or, if
422 applicable, according to the policy of their respective
423 organizations.

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

429 (2) At the organizational meeting, the council shall
430 elect a cochair, who shall be one of representatives from the
431 Association of Alabama Camps.

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

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

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

439 Section 14. Nothing in this act shall be interpreted to
440 change any element of civil liability with respect to any
441 possible claim against a camp.

442 Section 15. The agency is authorized to adopt any rule
443 necessary to implement, administer, interpret, and enforce the
444 requirements of this act.

445 Section 16. This act shall become effective on January
446 1, 2027, except Section 13 shall take effect immediately upon
447 approval by the Governor.