
By: **Senators Hoffman, Bromwell, Hooper, and Roesser**
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CHAPTER 328

1 AN ACT concerning

2 **Maryland Youth Camps - Days of Operation and Regulations**

3 FOR the purpose of altering the definitions of certain types of youth camps with
4 respect to the number of days operated and whether the camps are residential;
5 requiring that certain regulations for youth camps include standards for the
6 supervision of campers during routine activities; prohibiting the Secretary of
7 Health and Mental Hygiene from adopting regulations that set ratios of camper
8 to medical staff except under certain circumstances; defining certain terms; and
9 generally relating to the regulation of youth camps.

10 BY repealing and reenacting, with amendments,
11 Article - Health - General
12 Section 14-401 through 14-403, inclusive
13 Annotated Code of Maryland
14 (2000 Replacement Volume and 2001 Supplement)

15 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
16 MARYLAND, That the Laws of Maryland read as follows:

17 **Article - Health - General**

18 14-401.

- 19 (a) In this subtitle the following words have the meanings indicated.
- 20 (b) "Camper" means any child under 18 years of age who is attending a youth
21 camp.

- 1 (c) "Council" means the Youth Camp Safety Advisory Council.
- 2 (D) "DAY" MEANS ALL OR PART OF A 24-HOUR PERIOD.
- 3 [(d)] (E) "Day camp" means a youth camp that:
- 4 (1) Is operated for all or part of the day but less than 24 hours a day;
- 5 (2) Is conducted for at least 7 days during a 3-week period; and
- 6 (3) Provides 3 or more recreational activities or any 1 specialized activity
7 including:
- 8 (i) Aquatic programs;
- 9 (ii) Horseback riding;
- 10 (iii) Firearms control;
- 11 (iv) Riflery;
- 12 (v) Archery;
- 13 (vi) Adventure camps;
- 14 (vii) Artistic gymnastics;
- 15 (viii) Hang gliding;
- 16 (ix) Road cycling;
- 17 (x) Skiing;
- 18 (xi) Rock climbing;
- 19 (xii) Spelunking;
- 20 (xiii) Motorized vehicle activities;
- 21 (xiv) Rappelling; or
- 22 (xv) High ropes.
- 23 [(e)] (F) "Certificate" means a single certificate issued by the Department to a
24 youth camp under this subtitle.
- 25 [(f)] (G) "Occasional use" means periodic involvement in a program where
26 there is no expectation of regular attendance.
- 27 [(g)] (H) "Operate" means to supervise, control, conduct, or manage a youth
28 camp as:

- 1 (1) An owner;
- 2 (2) An agent of the owner;
- 3 (3) A lessee of the owner;
- 4 (4) A director; or
- 5 (5) An independent contractor.

6 [(h)] (I) "Residential camp" means a youth camp operating at a facility or
7 campsite at which a camper either lives apart or intends to live apart from the
8 camper's relatives, parents, or legal guardians for at least [7] 5 consecutive
9 [24-hour] days.

10 (J) "ROUTINE ACTIVITY" MEANS ANY TYPE OF ACTIVITY OTHER THAN A
11 SPECIALIZED ACTIVITY AS SET FORTH IN SUBSECTION (E)(3) OF THIS SECTION THAT
12 IS CONDUCTED FOR CHILDREN BY A YOUTH CAMP.

13 [(i)] (K) "Travel camp" means a RESIDENTIAL camp that:

14 (1) Operates for [not less than 24 hours a day for] at least [7] 5
15 consecutive days; and

16 (2) Provides for campers to use motorized transportation to move as a
17 group to or among sites for experiences in different environments.

18 [(j)] (L) "Trip camp" means a RESIDENTIAL camp:

19 (1) That operates for [not less than 24 hours a day for] at least [7] 5
20 consecutive days; and

21 (2) In which a group of individuals move from 1 site to another under
22 their own power or by transportation which permits individual guidance of a vehicle
23 or animal.

24 [(k)] (M) "Unit" means a board, department, agency, or other component of a
25 county or a municipal corporation.

26 [(l)] (N) "Youth camp" or "camp" means any day camp, residential camp,
27 travel camp, or trip camp that:

28 (1) Accommodates 7 or more campers who are unrelated to the person
29 operating the camp;

30 (2) Provides primarily recreational activities or has a substantial
31 outdoor recreational component;

32 (3) Has permanent buildings, temporary buildings, or no buildings; and

33 (4) Operates on:

- 1 (i) Owned private property;
- 2 (ii) Owned private facilities;
- 3 (iii) Leased private property;
- 4 (iv) Leased private facilities;
- 5 (v) Public property; or
- 6 (vi) Public facilities.

7 (O) "YOUTH OVERNIGHT PROGRAM" MEANS AN ACTIVITY SPONSORED BY A
8 RELIGIOUS OR A COMMUNITY ORGANIZATION AT A FACILITY OR SITE AT WHICH AN
9 INDIVIDUAL LESS THAN 18 YEARS OLD EITHER LIVES APART OR INTENDS TO LIVE
10 APART FROM THE INDIVIDUAL'S RELATIVES, PARENT, OR LEGAL GUARDIANS FOR
11 FEWER THAN 5 CONSECUTIVE DAYS.

12 (P) "ALTERNATIVE ACCREDITATION" MEANS A NATIONAL CAMPING
13 STANDARD THAT IS ACCEPTABLE TO THE SECRETARY AS PROVIDING ADEQUATE
14 HEALTH AND SAFETY PROTECTION FOR THE CAMPERS, SUCH AS THE AMERICAN
15 CAMPING ASSOCIATION STANDARDS FOR CAMP PROGRAMS AND SERVICES AND THE
16 BOY SCOUTS OF AMERICA STANDARDS, WHICH INCLUDES AN ANNUAL MONITORING
17 PROCESS TO VERIFY COMPLIANCE WITH THE STANDARD.

18 14-402.

19 (a) This subtitle and the regulations issued under this subtitle do not apply to:

- 20 (1) Purely social activities of a family or the guests of a family;
- 21 (2) Subject to subsection (b) of this section, programs or activities
22 directed or operated by a board of recreation, recreation department, or similar public
23 unit of a county, a municipal corporation, as defined by Article 23A of the Code, or the
24 Maryland-National Capital Park and Planning Commission, that involve use of
25 neighborhood facilities, including:
 - 26 (i) Schools;
 - 27 (ii) Playgrounds;
 - 28 (iii) Parks; or
 - 29 (iv) Recreation centers;
- 30 (3) Subject to subsection (c) of this section, programs or activities
31 directed or operated by an agency of the State that involve occasional use of public
32 facilities including:
 - 33 (i) Schools;

1 (ii) Playgrounds;

2 (iii) Parks; or

3 (iv) Recreation centers; or

4 (4) Youth overnight programs sponsored by religious or community
5 organizations operating or conducted for not more than [7] 5 consecutive days during
6 any 1 calendar year, SUCH AS A VACATION BIBLE SCHOOL, YOUTH BIKE TRIP, AND
7 SIMILAR ACTIVITIES.

8 (b) (1) Subject to the provisions of paragraph (2) of this subsection, each
9 local government shall adopt health and safety standards pertaining to the operation
10 of youth camps.

11 (2) Each unit of local government, or the Maryland-National Capital
12 Park and Planning Commission, that directs or operates a program or activity under
13 subsection (a)(2) of this section shall certify in writing on or before April 1 of each year
14 to the Department of Health and Mental Hygiene that all of those programs and
15 activities operated by the unit comply with the applicable health and safety standards
16 of the local jurisdiction in which the program or activity is located and any State law
17 the enforcement of which has been delegated to local government. However, a unit
18 may annually elect to comply with this subtitle and the regulations adopted under it.

19 (c) Each agency of the State that directs or operates a program or activity that
20 is not exempt under subsection (a)(3) of this section shall annually certify in writing
21 to the Department of Health and Mental Hygiene that each program or activity
22 operated by the agency complies with this subtitle and the regulations adopted under
23 it.

24 (d) The Department shall:

25 (1) Conduct inspections of:

26 (i) A random 5 percent sample of programs or activities described
27 under subsection (b) or (c) of this section to ensure that each program or activity is in
28 compliance with all applicable health and safety laws and standards; and

29 (ii) Any program or activity about which a complaint has been filed;
30 and

31 (2) Advise the unit or agency of any significant violation of State
32 regulations that would adversely impact the health or safety of children participating
33 in a program or activity.

34 14-403.

35 (a) (1) In addition to the powers set forth elsewhere in this article and
36 subject to the provisions of Title 10 of the State Government Article, on or before

1 October 1, 1987, the Secretary shall adopt regulations for certifying youth camps and
2 for issuing letters of compliance.

3 (2) (i) An applicant for a certificate shall submit an application to the
4 Department on the form that the Secretary requires.

5 (ii) An application for a certificate or for a letter of compliance shall
6 include:

7 1. The name and permanent mailing address of the
8 applicant;

9 2. The proposed location of the youth camp; and

10 3. Any other information and fee that the Department
11 requires.

12 (iii) For a unit or agency subject to the provisions of this subtitle,
13 the Secretary shall require the unit or agency to complete only one application for
14 certification for all youth camps directed or operated by that unit or agency.

15 (3) (i) The Department shall be solely responsible for implementing
16 and enforcing the provisions of this subtitle.

17 (ii) Except as provided in subparagraph (iv) of this paragraph, the
18 Secretary may impose a fee for the purpose of inspecting, monitoring, and regulating
19 youth camps as follows:

20 1. \$75 for day camps;

21 2. \$100 for residential camps;

22 3. \$100 for travel camps; and

23 4. \$100 for trip camps.

24 (iii) All fees shall be paid to the General Fund of the State.

25 (iv) A camp accredited or certified in accordance with the provisions
26 of subsection (b)(9) of this section may not be charged a fee under the provisions of
27 this section.

28 (4) (i) The operator of a youth camp directed or operated by a bona
29 fide religious organization shall:

30 1. Submit an application for certification;

31 2. Submit an application for a letter of compliance and have
32 the youth camp inspected by the Department; or

1 (4) Water supplies, sewage disposal systems, and refuse collection and
2 disposal procedures;

3 (5) Fire and safety standards relating to the buildings and the occupants
4 of buildings;

5 (6) Systems for the routine reporting of fatalities and serious illnesses or
6 accidents;

7 (7) Any personnel screening procedures that are required for operators
8 and employees of group day care centers;

9 (8) Procedures for conducting inspection, monitoring compliance, and
10 verifying information; [and]

11 (9) Alternate ACCREDITATION [or certification] which HAS BEEN
12 APPROVED BY the Secretary; AND

13 (10) MINIMUM STANDARDS FOR THE SUPERVISION OF CAMPERS DURING
14 ROUTINE ACTIVITIES.

15 (C) THE SECRETARY MAY NOT ADOPT REGULATIONS THAT SET RATIOS FOR
16 CAMPER TO MEDICAL STAFF PERSONNEL EXCEPT FOR:

17 (1) CAMP HEALTH SUPERVISORS AT A CAMP WHERE 50% OR MORE OF
18 THE CAMPERS HAVE IDENTIFIED MEDICAL PROBLEMS;

19 (2) PERSONNEL REQUIRED TO MEET EMERGENCY SAFETY STANDARDS,
20 FOR EXAMPLE THE NUMBER OF PERSONS THAT REQUIRE CERTIFICATION IN
21 CARDIOPULMONARY RESUSCITATION (CPR) AND FIRST AID; AND

22 (3) CAMP HEALTH SUPERVISORS, OR THEIR DESIGNEES, TRAINED TO
23 ADMINISTER MEDICINE TO CAMPERS.

24 [(c)] (D) The Secretary shall cooperate with other departments or agencies to
25 facilitate the activities of the departments or agencies in carrying out responsibilities
26 for enforcing the laws and regulations relating to youth camps.

27 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
28 October 1, 2002.