

SENATE BILL 349

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1998 Regular Session  
8r1622  
CF 8r1653

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By: **Senator Hoffman**

Introduced and read first time: February 5, 1998

Assigned to: Finance

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A BILL ENTITLED

1 AN ACT concerning

2 **Youth Camp Certification - Days of Operation**

3 FOR the purpose of altering the definitions of certain youth camps with respect to the  
4 number of days they must operate; and generally relating to the operation of  
5 youth camps.

6 BY repealing and reenacting, with amendments,  
7 Article - Health - General  
8 Section 14-401 and 14-402  
9 Annotated Code of Maryland  
10 (1994 Replacement Volume and 1997 Supplement)

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

13 **Article - Health - General**

14 14-401.

15 (a) In this subtitle the following words have the meanings indicated.

16 (b) "Camper" means any child under 18 years of age who is attending a youth  
17 camp.

18 (c) "Council" means the Youth Camp Safety Advisory Council.

19 (d) "Day camp" means a youth camp that:

20 (1) Is operated for all or part of the day but less than 24 hours a day;

21 (2) Is conducted for at least [7] 5 days during a 3-week period; and

22 (3) Provides 3 or more recreational activities or any 1 specialized activity  
23 including:

24 (i) Aquatic programs;

- 1 (ii) Horseback riding;
- 2 (iii) Firearms control;
- 3 (iv) Riflery;
- 4 (v) Archery;
- 5 (vi) Adventure camps;
- 6 (vii) Artistic gymnastics;
- 7 (viii) Hang gliding;
- 8 (ix) Road cycling;
- 9 (x) Skiing;
- 10 (xi) Rock climbing;
- 11 (xii) Spelunking;
- 12 (xiii) Motorized vehicle activities;
- 13 (xiv) Rappelling; or
- 14 (xv) High ropes.

15 (e) "Certificate" means a single certificate issued by the Department to a  
16 youth camp under this subtitle.

17 (f) "Occasional use" means periodic involvement in a program where there is  
18 no expectation of regular attendance.

19 (g) "Operate" means to supervise, control, conduct, or manage a youth camp  
20 as:

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

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

29 (i) "Travel camp" means a camp that:

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

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

5 (j) "Trip camp" means a camp:

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

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

11 (k) "Unit" means a board, department, agency, or other component of a county  
12 or a municipal corporation.

13 (l) "Youth camp" or "camp" means any day camp, residential camp, travel  
14 camp, or trip camp that:

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

17 (2) Provides primarily recreational activities or has a substantial  
18 outdoor recreational component;

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

20 (4) Operates on:

21 (i) Owned private property;

22 (ii) Owned private facilities;

23 (iii) Leased private property;

24 (iv) Leased private facilities;

25 (v) Public property; or

26 (vi) Public facilities.

27 14-402.

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

29 (1) Purely social activities of a family or the guests of a family;

30 (2) Subject to subsection (b) of this section, programs or activities  
31 directed or operated by a board of recreation, recreation department, or similar public

1 unit of a county, a municipal corporation, as defined by Article 23A of the Code, or the  
2 Maryland-National Capital Park and Planning Commission, that involve use of  
3 neighborhood facilities, including:

- 4 (i) Schools;
- 5 (ii) Playgrounds;
- 6 (iii) Parks; or
- 7 (iv) Recreation centers;

8 (3) Subject to subsection (c) of this section, programs or activities  
9 directed or operated by an agency of the State that involve occasional use of public  
10 facilities including:

- 11 (i) Schools;
- 12 (ii) Playgrounds;
- 13 (iii) Parks; or
- 14 (iv) Recreation centers; or

15 (4) Youth overnight programs sponsored by religious or community  
16 organizations operating or conducted for not more than [7] 5 consecutive days during  
17 any 1 calendar year.

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

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

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

34 (d) The Department shall:

- 35 (1) Conduct inspections of:

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

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

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

9       SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
10 October 1, 1998.