
By: **Senator Hoffman**
Introduced and read first time: February 5, 1998
Assigned to: Finance

Committee Report: Favorable with amendments
Senate action: Adopted
Read second time: March 18, 1998

CHAPTER _____

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~~ of operation for purposes of certification by
5 the Department of Health and Mental Hygiene under the Maryland Youth Camp
6 Act; and generally relating to the days of operation of certified youth camps.

7 BY repealing and reenacting, with amendments,
8 Article - Health - General
9 Section 14-401 ~~and 14-402~~
10 Annotated Code of Maryland
11 (1994 Replacement Volume and 1997 Supplement)

12 BY repealing and reenacting, without amendments,
13 Article - Health - General
14 Section 14-402
15 Annotated Code of Maryland
16 (1994 Replacement Volume and 1997 Supplement)

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

19 **Article - Health - General**

20 14-401.

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

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

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

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

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

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

7 (3) Provides 3 or more recreational activities or any 1 specialized activity
8 including:

9 (i) Aquatic programs;

10 (ii) Horseback riding;

11 (iii) Firearms control;

12 (iv) Riflery;

13 (v) Archery;

14 (vi) Adventure camps;

15 (vii) Artistic gymnastics;

16 (viii) Hang gliding;

17 (ix) Road cycling;

18 (x) Skiing;

19 (xi) Rock climbing;

20 (xii) Spelunking;

21 (xiii) Motorized vehicle activities;

22 (xiv) Rappelling; or

23 (xv) High ropes.

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

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

28 (g) "Operate" means to supervise, control, conduct, or manage a youth camp
29 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) "Residential camp" means a youth camp operating at a facility or campsite
7 at which a camper either lives apart or intends to live apart from the camper's
8 relatives, parents, or legal guardians for at least [7] 5 consecutive ~~24-hour~~ days.

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

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

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

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

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

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

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

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

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

26 (2) Provides primarily recreational activities or has a substantial
27 outdoor recreational component;

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

29 (4) Operates on:

30 (i) Owned private property;

31 (ii) Owned private facilities;

- 1 (iii) Leased private property;
- 2 (iv) Leased private facilities;
- 3 (v) Public property; or
- 4 (vi) Public facilities.

5 14-402.

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

- 7 (1) Purely social activities of a family or the guests of a family;
- 8 (2) Subject to subsection (b) of this section, programs or activities
9 directed or operated by a board of recreation, recreation department, or similar public
10 unit of a county, a municipal corporation, as defined by Article 23A of the Code, or the
11 Maryland-National Capital Park and Planning Commission, that involve use of
12 neighborhood facilities, including:

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

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

- 20 (i) Schools;
- 21 (ii) Playgrounds;
- 22 (iii) Parks; or
- 23 (iv) Recreation centers; or

24 (4) Youth overnight programs sponsored by religious or community
25 organizations operating or conducted for not more than {7} 5 consecutive days during
26 any 1 calendar year.

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

30 (2) Each unit of local government, or the Maryland-National Capital
31 Park and Planning Commission, that directs or operates a program or activity under
32 subsection (a)(2) of this section shall certify in writing on or before April 1 of each year

1 to the Department of Health and Mental Hygiene that all of those programs and
2 activities operated by the unit comply with the applicable health and safety standards
3 of the local jurisdiction in which the program or activity is located and any State law
4 the enforcement of which has been delegated to local government. However, a unit
5 may annually elect to comply with this subtitle and the regulations adopted under it.

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

11 (d) The Department shall:

12 (1) Conduct inspections of:

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

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

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

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