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By: **Senators Hoffman, Bromwell, Hooper, and Roeser**  
Introduced and read first time: February 1, 2002  
Assigned to: Finance

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A BILL ENTITLED

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.
- 22 (c) "Council" means the Youth Camp Safety Advisory Council.
- 23 (D) "DAY" MEANS ALL OR PART OF A 24-HOUR PERIOD.
- 24 [(d)] (E) "Day camp" means a youth camp that:
  - 25 (1) Is operated for all or part of the day but less than 24 hours a day;

- 1 (2) Is conducted for at least 7 days during a 3-week period; and
- 2 (3) Provides 3 or more recreational activities or any 1 specialized activity
- 3 including:
- 4 (i) Aquatic programs;
- 5 (ii) Horseback riding;
- 6 (iii) Firearms control;
- 7 (iv) Riflery;
- 8 (v) Archery;
- 9 (vi) Adventure camps;
- 10 (vii) Artistic gymnastics;
- 11 (viii) Hang gliding;
- 12 (ix) Road cycling;
- 13 (x) Skiing;
- 14 (xi) Rock climbing;
- 15 (xii) Spelunking;
- 16 (xiii) Motorized vehicle activities;
- 17 (xiv) Rappelling; or
- 18 (xv) High ropes.

19 [(e)] (F) "Certificate" means a single certificate issued by the Department to a  
20 youth camp under this subtitle.

21 [(f)] (G) "Occasional use" means periodic involvement in a program where  
22 there is no expectation of regular attendance.

23 [(g)] (H) "Operate" means to supervise, control, conduct, or manage a youth  
24 camp as:

- 25 (1) An owner;
- 26 (2) An agent of the owner;
- 27 (3) A lessee of the owner;
- 28 (4) A director; or

1 (5) An independent contractor.

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

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

9 [(i)] (K) "Travel camp" means a RESIDENTIAL 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)] (L) "Trip camp" means a RESIDENTIAL 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)] (M) "Unit" means a board, department, agency, or other component of a  
21 county or a municipal corporation.

22 [(l)] (N) "Youth camp" or "camp" means any day camp, residential camp,  
23 travel 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;

32 (iii) Leased private property;

33 (iv) Leased private facilities;

1 (v) Public property; or

2 (vi) Public facilities.

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

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

14 14-402.

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

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

17 (2) Subject to subsection (b) of this section, programs or activities  
18 directed or operated by a board of recreation, recreation department, or similar public  
19 unit of a county, a municipal corporation, as defined by Article 23A of the Code, or the  
20 Maryland-National Capital Park and Planning Commission, that involve use of  
21 neighborhood facilities, including:

22 (i) Schools;

23 (ii) Playgrounds;

24 (iii) Parks; or

25 (iv) Recreation centers;

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

29 (i) Schools;

30 (ii) Playgrounds;

31 (iii) Parks; or

32 (iv) Recreation centers; or

33 (4) Youth overnight programs sponsored by religious or community  
34 organizations operating or conducted for not more than [7] 5 consecutive days during

1 any 1 calendar year, SUCH AS A VACATION BIBLE SCHOOL, YOUTH BIKE TRIP, AND  
2 SIMILAR ACTIVITIES.

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

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

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

19 (d) The Department shall:

20 (1) Conduct inspections of:

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

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

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

29 14-403.

30 (a) (1) In addition to the powers set forth elsewhere in this article and  
31 subject to the provisions of Title 10 of the State Government Article, on or before  
32 October 1, 1987, the Secretary shall adopt regulations for certifying youth camps and  
33 for issuing letters of compliance.

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

36 (ii) An application for a certificate or for a letter of compliance shall  
37 include:



1 (b) With due consideration for conditions existing in nature and for the  
2 importance of outdoor adventure experiences, the regulations shall include:

3 (1) Safety procedures for:

4 (i) Aquatic programs;

5 (ii) Horseback riding;

6 (iii) Firearms control;

7 (iv) Riflery;

8 (v) Archery;

9 (vi) Adventure camps;

10 (vii) Artistic gymnastics;

11 (viii) Hang gliding;

12 (ix) Road cycling;

13 (x) Skiing;

14 (xi) Rock climbing;

15 (xii) Spelunking;

16 (xiii) Motorized vehicle activities;

17 (xiv) Rappelling; or

18 (xv) High ropes;

19 (2) Except for outdoor cookouts, sanitation regulations pertaining to the  
20 facilities and personnel for the storage, preparation, and serving of food products;

21 (3) Personal health, first aid, and medical services, health supervision,  
22 and the maintenance of health records for campers;

23 (4) Water supplies, sewage disposal systems, and refuse collection and  
24 disposal procedures;

25 (5) Fire and safety standards relating to the buildings and the occupants  
26 of buildings;

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

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

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

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

5 (10) MINIMUM STANDARDS FOR THE SUPERVISION OF CAMPERS DURING  
6 ROUTINE ACTIVITIES.

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

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

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

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

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

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