

Department of Legislative Services
 Maryland General Assembly
 2012 Session

FISCAL AND POLICY NOTE

House Bill 1421 (Delegate Smigiel, *et al.*)
 Health and Government Operations

Health - Youth Camps - Application Fees for Certification

This bill prohibits the Secretary of Health and Mental Hygiene from imposing on a youth camp a certification fee that is greater than the fee imposed before the publication in the *Maryland Register* of emergency regulations on May 6, 2011, and the notice of final adoption of proposed regulations on June 17, 2011. The bill specifies that a regulation that increases such a fee may not take effect until the General Assembly approves the increase through legislation enacted into law.

Fiscal Summary

State Effect: General fund revenues decrease by \$267,000 annually beginning in FY 2013 as a result of decreased youth camp certification fees collected. Expenditures are not affected.

(in dollars)	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017
GF Revenue	(\$267,000)	(\$267,000)	(\$267,000)	(\$267,000)	(\$267,000)
Expenditure	0	0	0	0	0
Net Effect	(\$267,000)	(\$267,000)	(\$267,000)	(\$267,000)	(\$267,000)

Note:() = decrease; GF = general funds; FF = federal funds; SF = special funds; - = indeterminate effect

Local Effect: None.

Small Business Effect: Potential meaningful decrease in small youth camp expenditures due to a decrease in youth camp certification fees under the bill. The amount of the decrease per youth camp ranges from \$125 to \$1,900.

Analysis

Current Law/Background: In general, “youth camp” or “camp” means any camp that (1) accommodates at least seven campers who are unrelated to the person operating the camp; and (2) provides primarily recreational activities or has a substantial outdoor recreational component. The Department of Health and Mental Hygiene (DHMH) is required to monitor, inspect, and certify youth camps. The department is authorized to impose a fee for these purposes.

Fees for youth camps were increased in regulation effective June 28, 2011. Current fees range from \$200 to \$2,000, depending on a camp’s number of enrolled campers and days of operation and whether a camp is a day camp or a residential camp. Previously, certification fees ranged from \$75 to \$100, depending only on whether a camp was a day camp or a residential camp.

At least 15 days before a proposed regulation is published in the *Maryland Register*, the promulgating agency must submit the proposed regulation to the Joint Committee on Administrative, Executive, and Legislative Review (AELR) and Legislative Services for analysis and review. The agency may not adopt the regulation until at least 45 days after its publication in the *Maryland Register* (i.e., 60 days from its submission to AELR). The public may comment on the proposed regulation within 30 days after its publication.

State Revenues: General fund revenues decrease by \$267,025 annually beginning in fiscal 2013 due to a decrease in youth camp certification fees under the bill. DHMH advises that, under the bill, 495 day camps pay \$224,425 less in fees, while 54 residential camps pay \$42,600 less in fees. This estimate is based on the number of camps and their sizes during the 2011 youth camp season. It assumes no change in the number of youth camps regulated and no change in camp size.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Maryland Association of Counties, Department of Legislative Services

Fiscal Note History: First Reader - March 18, 2012
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