

GENERAL ASSEMBLY OF NORTH CAROLINA
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SENATE BILL DRS35418-MHa-141

Short Title: Safe Camps Act.

(Public)

Sponsors: Senators Sawyer and Chitlik (Primary Sponsors).

Referred to:

1 A BILL TO BE ENTITLED
2 AN ACT TO ESTABLISH A YOUTH CAMP PERMITTING AND SAFETY PROGRAM; TO
3 PROHIBIT PERMITTING OF YOUTH CAMPS WITH CABINS IN FLOODPLAINS
4 EXCEPT AS AUTHORIZED; TO REQUIRE EMERGENCY PLANNING AND
5 WARNING COMMUNICATIONS; TO ESTABLISH MINIMUM SAFETY
6 REQUIREMENTS FOR CAMPGROUNDS; AND TO PROVIDE IMPLEMENTATION
7 FUNDS.

8 The General Assembly of North Carolina enacts:

9 SECTION 1.(a) Chapter 130A of the General Statutes is amended by adding a new
10 Article to read:

11 "Article 25.

12 "Youth Camps and Campground Safety.

13 "Part 1. Youth Camps.

14 "**§ 130A-512. Definitions.**

15 The following definitions apply in this Part:

- 16 (1) Cabin. – A structure used to provide temporary sleeping quarters for campers.
17 (2) Camper. – A minor attending a youth camp on a day or residential basis.
18 (3) Day camp. – A youth camp that operates during any portion of the day
19 between 7:00 A.M. and 10:00 P.M. for a period of four or more consecutive
20 days and that provides no more than two incidental overnight stays per camp
21 session. The term does not include a facility required to be licensed as a child
22 care facility under Article 7 of Chapter 110 of the General Statutes.
23 (4) Floodplain. – The base floodplain or 100-year floodplain as defined in
24 G.S. 143-215.52(1b). The term includes any area removed from the 100-year
25 floodplain by a letter of map amendment, a letter of map revision based on
26 fill, or a substantially similar administrative process conducted by the Federal
27 Emergency Management Agency.
28 (5) Floodway. – The regulatory floodway, if any, as shown on the current
29 floodplain maps prepared pursuant to the National Flood Insurance Program
30 or approved by the Department of Public Safety. If a regulatory floodway is
31 not shown on the applicable floodplain map used for a determination under
32 this Part, the term includes a floodway delineated in accordance with rules
33 adopted pursuant to G.S. 130A-515(d).
34 (6) Youth camp. – A facility or property, not licensed under Article 7 of Chapter
35 110 of the General Statutes, that provides structured recreational, athletic,



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1 religious, or educational activities to minors for four or more consecutive
2 days, including residential, primitive, and day camps.

3 (7) Youth camp operator. – A person who owns, operates, controls, or supervises
4 a youth camp, regardless of profit status.

5 **"§ 130A-513. Religious sponsored child care facilities.**

6 (a) Applicability. – Notwithstanding G.S. 110-106(b)(4), a religious sponsored child care
7 facility operating pursuant to G.S. 110-106 that operates a day camp, as defined in
8 G.S. 130A-512(3), shall comply with G.S. 130A-520(d) and G.S. 130A-522 with respect to that
9 day camp.

10 (b) Permit and Other Requirements Not Applicable. – A facility described in subsection
11 (a) of this section is not required to obtain a permit under G.S. 130A-514 to operate the day camp
12 and is not subject to the requirements of this Part or rules adopted under this Part. This subsection
13 does not exempt the facility from G.S. 130A-520(d) or G.S. 130A-522, or rules adopted to
14 implement those sections, and G.S. 130A-523 applies to the extent necessary to inspect and
15 enforce compliance with G.S. 130A-520(d) and G.S. 130A-522.

16 (c) Religious Training; No Regulation of Doctrine. – Consistent with G.S. 110-106(b)(4),
17 nothing in this Article shall be construed to authorize the Department, the Commission, or a local
18 health department to regulate or otherwise interfere with religious doctrine, religious instruction,
19 worship, curriculum, or internal church governance. This Article shall be applied to a facility
20 described in subsection (a) of this section solely as a program of health and safety regulation.

21 (d) Inspection Scope. – Any inspection or request for records by the Department or a
22 local health department under this Article of a facility described in subsection (a) of this section
23 shall be limited to matters reasonably necessary to determine compliance with G.S. 130A-520(d)
24 and G.S. 130A-522.

25 (e) Floodplain Documentation. – A facility described in subsection (a) of this section
26 shall maintain documentation supporting floodplain and floodway determinations made to
27 comply with G.S. 130A-520(d) and the parent notice required by G.S. 130A-522(j)(2) and shall
28 make the documentation available to the Department or a local health department upon request
29 in the form and manner prescribed by rule.

30 **"§ 130A-514. Permit required; issuance by Department.**

31 (a) Permit Required. – Except as provided in G.S. 130A-513, no person shall operate a
32 youth camp without a permit issued annually by the Department.

33 (b) Issuance and Renewal; Conditions. – The Department shall issue or renew a permit
34 under this Part only if the Department determines the youth camp is in compliance with this Part
35 and rules adopted pursuant to this Part, including approval of the emergency plan required by
36 G.S. 130A-522. In making this determination, the Department shall consider the most recent
37 inspection report submitted under G.S. 130A-523 and other information required by rule.

38 (c) Continuation Pending Renewal. – If a youth camp operator submits a complete
39 application for renewal under G.S. 130A-517, including payment of the applicable fee required
40 by G.S. 130A-518, in a form and manner prescribed by the Department, before expiration of the
41 current permit, the current permit shall remain in effect until the Department takes final action
42 on the renewal application. During the period the current permit remains in effect under this
43 subsection, the youth camp operator shall comply with the most recent emergency plan approved
44 under G.S. 130A-522. This subsection does not limit the authority of the Department or a local
45 health director to take enforcement action as authorized by law.

46 (d) Updated Application Required After Material Changes. – A youth camp operator
47 shall submit an updated application to the Department in the manner prescribed by the
48 Department not later than 30 days after the operator does any of the following:

49 (1) Alters the boundaries of a youth camp.

50 (2) Completes construction of one or more new cabins on the premises of the
51 camp.

- 1 (3) Completes any renovation to an existing cabin on the premises of the camp
2 that does either of the following:
3 a. Increases or decreases the number of beds in the cabin.
4 b. Alters the method of ingress or egress for the cabin.

5 (e) Single Youth Camp Permit. – A permit issued under this Part satisfies any permit
6 requirement under rules adopted by the Commission for Public Health for the operation of a
7 youth camp, including rules governing summer camps, resident camps, and primitive experience
8 camps. This subsection does not affect the applicability of permits required for food service
9 establishments, lodging establishments, public swimming pools, onsite wastewater systems, or
10 potable water supplies under other applicable provisions of law.

11 **"§ 130A-515. Administration; Department oversight; rulemaking; coordination with other**
12 **health and safety programs.**

13 (a) Department Oversight. – The Department shall oversee implementation of this Part
14 and shall provide standardized forms, technical assistance, data systems, and program audits. The
15 Department may enter into agreements with local health departments and other governmental
16 agencies as authorized by law to carry out the purposes of this Part.

17 (b) Rulemaking. – The Commission for Public Health shall adopt rules to implement this
18 Part, including rules to classify youth camps and to establish minimum statewide standards for
19 their health and safety. Such rules may create subclasses of camps, including day camps,
20 residential camps, and primitive experience camps, and shall address sanitation, potable water
21 and wastewater, food service, lodging, aquatic safety, emergency planning and communications,
22 staffing qualifications and ratios, incident reporting, record keeping, inspections, and related
23 matters. Rules adopted under this subsection shall be consistent with this Part and other
24 applicable law.

25 (c) Coordination. – Nothing in this Part limits the applicability of other State health and
26 safety laws or rules concerning food service, lodging and sanitation, public swimming pools and
27 bathing places, onsite wastewater systems, communicable disease control, or related matters. The
28 Department shall, to the extent practicable, coordinate inspections and enforcement under this
29 Part with those programs to minimize duplication and burden on regulated entities.

30 (d) Floodplain and Floodway Determinations. – The Commission after consultation with
31 the Division of Emergency Management of the Department of Public Safety shall adopt rules
32 establishing a uniform statewide methodology for determinations under G.S. 130A-517(5),
33 130A-520, and 130A-522(j)(2). The rules shall do all of the following:

- 34 (1) Specify the floodplain mapping sources and flood hazard maps that shall be
35 used and the order of precedence among those sources, consistent with the
36 definition of "base floodplain" or "100-year floodplain" in
37 G.S. 143-215.52(1b) and the definition of "floodway" in G.S. 130A-512(5).
38 (2) Specify the minimum documentation required to support a determination as
39 to whether (i) any cabin is located within a floodplain and (ii) any portion of
40 the youth camp premises is located within a floodplain, including required
41 map identifiers, effective dates, and geospatial exhibits.
42 (3) Specify the methodology for determining whether a cabin is located at least
43 1,000 feet from a floodway for purposes of G.S. 130A-520(b)(2), including
44 the method of measurement and the minimum documentation required to
45 support the determination. The rules shall also do all of the following:
46 a. Specify procedures and minimum technical standards for delineating
47 a floodway for purposes of G.S. 130A-520(b)(2) when a regulatory
48 floodway is not shown on the applicable floodplain map.
49 b. Specify the minimum documentation required to support a delineation
50 under sub-subdivision a. of this subdivision, which may include a
51 geospatial exhibit. The rules may require certification of the

1 delineation by a professional engineer licensed to practice in this State
2 or by another qualified professional as determined by rule.

3 (4) Require the Department to provide standardized forms, templates, and
4 instructions for documenting floodplain determinations and floodway
5 measurements and to make those materials available to local health
6 departments and applicants.

7 (5) Provide a process or identify an existing process by which an applicant may
8 submit supplemental information recognized by rule to resolve a disputed
9 determination.

10 (6) Require retention of the documentation supporting the determination in the
11 permit file or, for a facility described in G.S. 130A-513, in the records
12 maintained by the facility in accordance with G.S. 130A-513(e), for a period
13 specified by rule.

14 **"§ 130A-516. Youth Camp Safety Multidisciplinary Team.**

15 (a) Establishment. – The Youth Camp Safety Multidisciplinary Team (Team) is
16 established within the Department to advise the Department and the Commission for Public
17 Health on implementation of this Part, including emergency planning, flood hazards, warning
18 and communications capabilities, and coordination with other public safety and health and safety
19 programs.

20 (b) Membership. – The Team shall consist of the following members, or their designees:

21 (1) The Secretary of the Department of Health and Human Services, who shall
22 serve as chair.

23 (2) A representative of the Division of Public Health.

24 (3) A representative of the Division of Emergency Management in the
25 Department of Public Safety.

26 (4) A representative of the Office of the State Fire Marshal in the Department of
27 Insurance.

28 (5) A representative of the Department of Environmental Quality with expertise
29 in flood hazards, floodplain mapping, or dam safety.

30 (6) A representative of the North Carolina Forest Service in the Department of
31 Agriculture and Consumer Services.

32 (7) A representative of the Wildlife Resources Commission.

33 (8) One local health director appointed by the Secretary.

34 (9) One county emergency management coordinator or director appointed by the
35 Director of the Division of Emergency Management.

36 (c) Duties. – The Team shall do all of the following:

37 (1) Advise the Department and the Commission on rulemaking under this Part
38 related to emergency planning, warning and communications capabilities, and
39 flood hazards.

40 (2) Recommend model emergency plan templates, checklists, training materials,
41 and inspection tools to support consistent statewide implementation.

42 (3) Identify best practices for severe weather and flood preparedness and for
43 coordination between youth camps and local emergency services and
44 emergency management.

45 (4) Recommend methods to prioritize oversight, training, and audits based on risk
46 factors such as flood hazards, proximity to watercourses, camper capacity, and
47 remoteness.

48 (5) Review anonymized program data and incident trends made available by the
49 Department, consistent with confidentiality requirements, and recommend
50 updates to guidance and training.

1 (6) Develop and recommend to the Commission and the Department proposed
2 minimum statewide standards for youth camp health and safety for adoption
3 by rule under this Part.

4 (d) Administration. – The Department shall provide staff support to the Team. Members
5 shall receive no compensation for serving but may receive travel and subsistence expenses in
6 accordance with State law.

7 (e) Meetings. – The Team shall meet at least twice each year and may meet more
8 frequently at the call of the chair.

9 **"§ 130A-517. Permit application.**

10 (a) Application Requirements. – An application for a youth camp permit shall be
11 submitted to the Department on Department-prescribed forms and shall include all of the
12 following:

13 (1) Facility plans and approvals required by rule.

14 (2) Documentation of potable water supply approval and wastewater system
15 approval, as applicable.

16 (3) A staffing and training plan as required by rule.

17 (4) The emergency plan required by G.S. 130A-522.

18 (5) Documentation sufficient to determine whether any cabin on the youth camp
19 premises is located within a floodplain and whether any portion of the youth
20 camp premises is located within a floodplain, as specified by rule, including
21 rules governing mapping source hierarchy and documentation standards. If
22 the youth camp operator seeks to qualify for the exception under
23 G.S. 130A-520(b)(2), the application shall also include documentation
24 sufficient to determine whether each cabin located within a floodplain is
25 located at least 1,000 feet from a floodway, as shown on the applicable
26 floodplain map or delineated in accordance with rules adopted pursuant to
27 G.S. 130A-515(d), measured in the manner prescribed by rule.

28 (6) Proof of liability insurance in an amount set by rule.

29 (b) Completeness Review. – Within 10 business days after submission to the Department,
30 through the Department's electronic submission process, of (i) an application under this section
31 or (ii) an emergency plan under G.S. 130A-522(f), the Department shall notify the submitter
32 whether the submission is complete. A submission identified as incomplete shall not be
33 considered received for purposes of any statutory review period.

34 **"§ 130A-518. Fees; Youth Camp Oversight Fund.**

35 (a) Fee Schedule. – The Commission shall establish by rule a uniform statewide fee
36 schedule for initial and renewal permits issued under this Part. The fee schedule may include
37 tiers based on camp classification, camper capacity, or other factors specified by rule. Fees shall
38 be set in an amount reasonably related to the cost of administering and enforcing this Part at the
39 State and local levels. A fee established under this subsection shall not exceed the applicable
40 maximum amount set in subsection (b) of this section. An application for an initial permit or
41 renewal submitted under G.S. 130A-517 is not complete unless accompanied by the applicable
42 fee established under this section.

43 (b) Maximum Fees. – The fee schedule established under subsection (a) of this section
44 shall not exceed the following maximum amounts:

45 (1) Initial permit. – One thousand dollars (\$1,000) per youth camp.

46 (2) Renewal permit. – One thousand dollars (\$1,000) per youth camp.

47 (3) Review of updated application. – Two hundred fifty dollars (\$250.00) per
48 submission required under G.S. 130A-514(d).

49 (c) Collection; Allocation; Remittance; Local Use. – The Department shall collect all fees
50 assessed under subsection (a) of this section. Twenty percent (20%) of each fee collected under
51 this section (the State share) shall be credited to the Youth Camp Oversight Fund established in

1 subsection (d) of this section. Eighty percent (80%) of each fee collected under this section (the
2 local share) shall be remitted to the local health department having jurisdiction over the youth
3 camp to support inspections and enforcement under this Part, in the manner and at intervals
4 prescribed by the Department. The Department shall remit the local share not less than quarterly.
5 The local health department shall deposit amounts remitted under this subsection to the account
6 of the local health department and shall use the amounts only for local youth camp safety
7 programs and activities under this Part, in accordance with the Local Government Budget and
8 Fiscal Control Act.

9 (d) Youth Camp Oversight Fund. – The Youth Camp Oversight Fund is established as a
10 special, nonreverting fund within the Department. Funds in the Fund shall be used only to support
11 implementation of this Part, including statewide rulemaking, oversight, training, audits, technical
12 assistance, and data systems.

13 (e) Review. – The Commission shall review the fee schedule at least once every two
14 years and shall revise the schedule as necessary to ensure that fees remain reasonably related to
15 program costs.

16 (f) Late Payment; Suspension for Nonpayment; Reinstatement. – The Department shall
17 assess a late payment fee of twenty-five dollars (\$25.00) to a youth camp operator that fails to
18 pay a fee assessed under subsection (a) of this section within 45 days after billing by the
19 Department. The Department may, in accordance with G.S. 130A-23, suspend a permit of a youth
20 camp that fails to pay the required fee within 60 days after billing by the Department. The
21 Department shall assess a reinstatement fee of one hundred fifty dollars (\$150.00) to a youth
22 camp operator that requests reinstatement of its permit after the permit has been suspended under
23 this subsection. Late payment fees and reinstatement fees collected under this subsection shall
24 be credited to the Youth Camp Oversight Fund. The Commission shall adopt rules to implement
25 this subsection.

26 (g) Refunds. – Fees collected under this section are not refundable, except when the
27 Department determines a fee was collected in error.

28 **"§ 130A-519. Online list of permitted youth camps.**

29 The Department shall establish, maintain, and update on its public website a list of youth
30 camps holding an active permit under this Part.

31 **"§ 130A-520. Floodplain cabins; permitting prohibited.**

32 (a) General Prohibition. – The Department shall not issue or renew a permit to a youth
33 camp if any cabin on the youth camp premises is located wholly or partially within a floodplain.

34 (b) Exception. – Notwithstanding subsection (a) of this section, the Department may issue
35 or renew a permit to a youth camp described by subsection (a) of this section only if the youth
36 camp operator demonstrates, in the form and manner prescribed by the Department and as
37 specified by rule, that at least one of the following applies:

38 (1) Each cabin located wholly or partially within a floodplain is within the
39 floodplain as a result of the cabin's proximity to a lake, pond, or other still
40 body of water that meets either of the following conditions:

41 a. The body of water is not connected to a stream, river, or other
42 watercourse.

43 b. The body of water is dammed.

44 (2) Each cabin located wholly or partially within a floodplain is located at least
45 1,000 feet from a floodway, as shown on the applicable floodplain map or
46 delineated in accordance with rules adopted pursuant to G.S. 130A-515(d),
47 measured in the manner prescribed by rule.

48 (c) Emergency Ladders for Floodplain Cabins. – If the Department issues or renews a
49 permit under subsection (b) of this section, the youth camp operator shall install and maintain,
50 for each cabin located wholly or partially within a floodplain, an emergency ladder capable of
51 providing access to the cabin's roof. The ladder shall meet minimum standards established by

1 rule. The rules may be adopted under Part 2 of this Article and shall be consistent with
2 G.S. 130A-527(a)(1).

3 (d) Religious Sponsored Child Care Facilities. – Notwithstanding G.S. 110-106(b)(4), a
4 facility described in G.S. 130A-513 shall not use, for lodging or sleeping by campers, any cabin
5 located wholly or partially within a floodplain unless the facility demonstrates, in the form and
6 manner prescribed by the Department and as specified by rule, that at least one of the conditions
7 in subdivision (1) or (2) of subsection (b) of this section applies for each such cabin and installs
8 and maintains an emergency ladder meeting the minimum standards established by rule pursuant
9 to subsection (c) of this section for each such cabin.

10 **"§ 130A-521. Minimum standards; rule coordination.**

11 (a) Minimum Standards. – The Commission for Public Health shall adopt and maintain
12 rules establishing minimum standards for youth camps, including all of the following:

- 13 (1) Camper health screening and communicable disease prevention, reporting,
14 and control.
- 15 (2) Staffing ratios and staff training, including cardiopulmonary resuscitation,
16 first aid, and child abuse recognition and reporting.
- 17 (3) Facility sanitation, drinking water, wastewater, food service, and lodging.
- 18 (4) Swimming pools, natural water activities, and aquatic safety.
- 19 (5) Emergency action planning, drills, communications, and records under
20 G.S. 130A-522.
- 21 (6) Incident reporting and record keeping.

22 (b) Coordination. – Rules adopted under this section shall be coordinated with other State
23 health and safety programs and shall avoid duplicative requirements. The rules may rely on
24 existing State rules concerning food service, lodging and sanitation, public swimming pools and
25 bathing places, onsite wastewater systems, potable water supplies, communicable disease
26 control, and related matters.

27 (c) Applicability of Part 2. – The Commission shall adopt rules making applicable to
28 youth camps the requirements of Part 2 of this Article in the same manner those requirements
29 apply to a campground under that Part.

30 **"§ 130A-522. Emergency plans; communications; orientation; training; submissions.**

31 (a) Emergency Plan. – Each youth camp operator shall develop, implement, and maintain
32 an emergency plan that, at a minimum, provides procedures for all of the following:

- 33 (1) Responding to a lost camper.
- 34 (2) Fire in a structure or open area on camp premises.
- 35 (3) Severe injury, severe illness, serious accident, or fatality of campers, visitors,
36 volunteers, or staff on premises or under camp supervision.
- 37 (4) Aquatic emergencies if the camp borders or uses a watercourse, lake, pond, or
38 other body of water.
- 39 (5) Severe weather and disasters, including tornado, flash flood or flood,
40 hurricane, wildfire, dam failure, hazardous materials release, extreme heat,
41 and winter storm conditions.
- 42 (6) Evacuation and shelter in place, including designation of muster zones for
43 campers and youth camp staff and procedures to identify and account for each
44 camper.
- 45 (7) Notification and communication with all of the following:
 - 46 a. Local emergency services and the county emergency management
47 coordinator for the county in which the youth camp is located and, if
48 applicable, the municipal emergency management coordinator for the
49 municipality in which the youth camp is located.
 - 50 b. Camp administrative and medical staff.

1 c. Parents or legal guardians of campers participating in the camp
2 session.

3 (8) An epidemic or other communicable disease outbreak affecting campers or
4 staff.

5 (9) An unauthorized or unknown individual present on the youth camp premises.

6 (10) A transportation emergency, including incidents occurring while campers are
7 in transit under camp supervision.

8 (11) Any other natural disaster or emergency event designated by rule.

9 (b) Activation Triggers. – The emergency plan shall identify objective triggers for
10 activating the procedures required by subsection (a) of this section, which shall include (i)
11 issuance by the National Weather Service of a tornado warning, flash flood warning, or flood
12 warning for the area of the camp and (ii) issuance of an evacuation order, shelter in place order,
13 or other movement or shelter directive by the Governor or by a municipality or county with
14 jurisdiction under Chapter 166A of the General Statutes, and may include site-specific indicators
15 of an imminent hazard observable by camp staff.

16 (c) Implementation. – A youth camp operator shall implement the emergency plan
17 required by this section upon the occurrence of an activation trigger identified in the plan under
18 subsection (b) of this section. At a minimum, the youth camp operator shall implement the
19 evacuation and shelter in place procedures required by subdivision (a)(6) of this section on
20 issuance by the National Weather Service of a tornado warning, flash flood warning, or flood
21 warning for the area of the camp.

22 (d) Emergency Preparedness Coordinator. – The youth camp operator shall designate an
23 emergency preparedness coordinator in the plan.

24 (e) Warning and Communications Capabilities. – The Commission shall adopt rules
25 requiring a youth camp operator to provide and maintain, at each youth camp operated by the
26 operator, warning and communications capabilities. A youth camp operator shall certify
27 annually, in a form and manner prescribed by the Department, to the Department that the youth
28 camp is in compliance with this subsection and rules adopted pursuant to this subsection. The
29 rules shall require that the capabilities meet at least all of the following performance
30 requirements:

31 (1) An operable radio capable of providing real-time weather alerts issued by the
32 National Weather Service or a comparable professional weather service, as
33 specified by rule.

34 (2) A camp-wide warning method capable of alerting all campers and camp
35 occupants of an emergency, including a public address function operable
36 without reliance on an internet connection.

37 (3) Capability to monitor applicable local emergency notification systems.

38 (4) Where, in accordance with criteria established by rule, the Department
39 determines that a communications pathway not relying on commercial cellular
40 voice service or commercial cellular data service is available for installation
41 and operation to serve the youth camp, at least one required pathway shall not
42 rely on commercial cellular voice service or commercial cellular data service.

43 (f) Submission and Review. – The following apply:

44 (1) Submission. – The youth camp operator shall submit the emergency plan
45 required by this section with the permit application under G.S. 130A-517 and
46 annually thereafter with each application for renewal. A facility described in
47 G.S. 130A-513 shall submit the emergency plan required by this section to the
48 Department annually, and before beginning operation of the day camp in each
49 calendar year, in the form and manner prescribed by the Department,
50 including through any Department-administered electronic system.

- 1 (2) Department action. – Within 30 days after receipt of a plan submitted under
2 subdivision (1) of this subsection, the Department shall approve the plan or
3 provide the operator written notice of deficiencies.
- 4 (3) Deficiencies; resubmission. – If the Department determines the plan does not
5 meet the requirements of this section and minimum standards prescribed by
6 rules adopted by the Commission, the operator shall revise and resubmit the
7 plan within 45 days after receipt of the written notice of deficiencies.
- 8 (4) Department action on revised plan. – Within 30 days after receipt of a revised
9 plan submitted under subdivision (3) of this subsection, the Department shall
10 approve the revised plan or provide the operator written notice of any
11 remaining deficiencies.
- 12 (5) Permit condition. – Approval of the emergency plan under this subsection is
13 a condition of permit issuance and renewal under G.S. 130A-514.
- 14 (g) Consultation. – In reviewing and approving emergency plans under subsection (f) of
15 this section, the Department may consult with the local health department having jurisdiction,
16 county or municipal emergency management, and the Youth Camp Safety Multidisciplinary
17 Team established in G.S. 130A-516.
- 18 (h) Transmittal to Emergency Management. – The following apply:
- 19 (1) County transmittal. – Within 10 business days after approval of a plan under
20 subdivision (f) of this section, the youth camp operator shall provide a copy of
21 the approved plan to the county emergency management coordinator
22 appointed pursuant to G.S. 166A-19.15(b) or otherwise designated for an
23 emergency management agency established under that statute, for the county
24 in which the youth camp is located, or the coordinator's designee.
- 25 (2) Municipal transmittal. – If the youth camp is located within a municipality
26 that has established an emergency management agency pursuant to
27 G.S. 166A-19.15(c), the operator shall also provide a copy of the approved
28 plan to the municipal emergency management coordinator, if any, or the
29 coordinator's designee.
- 30 (3) Religious sponsored child care facilities. – A facility described in
31 G.S. 130A-513 shall provide a copy of the plan submitted under subdivision
32 (f)(1) of this section to the county emergency management coordinator, or the
33 coordinator's designee, and, if applicable, to the municipal emergency
34 management coordinator, or the coordinator's designee, not later than 10
35 business days after submission and shall provide updated copies not later than
36 10 business days after any resubmission under subdivision (f)(3) of this
37 section.
- 38 (4) Joint agency. – If a joint emergency management agency has been formed
39 pursuant to G.S. 166A-19.15(d) with jurisdiction over the youth camp's
40 location, delivery to the coordinator, or the coordinator's designee, of the joint
41 agency satisfies subdivisions (1) and (2) of this subsection.
- 42 (i) Department Database. – The Department shall store in a digital database each
43 emergency plan approved under this section and each emergency plan submitted under
44 subdivision (f)(1) of this section by a facility described in G.S. 130A-513 and shall provide
45 access to that database to all of the following:
- 46 (1) The Division of Emergency Management in the Department of Public Safety.
47 (2) The county and municipal emergency management coordinators who receive
48 plans under subsection (h) of this section.
- 49 (3) The local health department having jurisdiction over the youth camp.
50 (4) The Youth Camp Safety Multidisciplinary Team established in
51 G.S. 130A-516, including each member or the member's designee.

1 (j) Parent Notice. – A youth camp operator shall:

2 (1) Provide the most recent emergency plan approved under this section to the
3 parent or legal guardian of a camper who is participating in a camp session
4 and to the parent or legal guardian of a prospective camper registered to
5 participate in a future camp session.

6 (2) Notify the parent or legal guardian described in subdivision (1) of this
7 subsection if any portion of the youth camp premises is located within a
8 floodplain.

9 (3) Ensure the parent or legal guardian signs and submits to the operator a
10 statement acknowledging receipt of the notice required under subdivision (2)
11 of this subsection.

12 (k) Camper Safety Orientation. – The youth camp operator or a youth camp staff member
13 shall conduct a mandatory safety orientation before a camper participates in any camp activities
14 other than check-in and, in all cases, not later than the end of the first day of the youth camp
15 session. The orientation shall do all of the following:

16 (1) Notify each camper of the camp's boundaries and hazards present on the camp
17 premises.

18 (2) Instruct each camper on behavioral expectations in an emergency event.

19 (3) Provide each camper developmentally appropriate instruction on actions and
20 procedures to follow in an emergency event, in accordance with the camp's
21 emergency plan required under this section.

22 (l) Annual Staff and Volunteer Training. – Before a youth camp staff member or
23 volunteer begins duties that involve supervising campers, and at least annually thereafter, a youth
24 camp operator shall do all of the following:

25 (1) Provide each youth camp staff member and volunteer with a copy of the
26 camp's most recent emergency plan.

27 (2) Ensure each staff member and volunteer successfully completes training on
28 the emergency plan that meets minimum standards and required hours
29 established by rule.

30 (3) Instruct each staff member and volunteer on proper procedures to follow in an
31 emergency event.

32 (4) Maintain written records documenting completion of training required by this
33 subsection.

34 (m) Posting; Illumination. – A youth camp operator shall do all of the following:

35 (1) Conspicuously post in each cabin on the youth camp premises the proper
36 evacuation route described in the emergency plan.

37 (2) Ensure each evacuation route designated in the emergency plan is illuminated
38 or otherwise clearly marked and visible at night, as specified by rule.

39 (n) Confidentiality. – An emergency plan submitted to, received by, or accessed by the
40 Department, the Youth Camp Safety Multidisciplinary Team, the Division of Emergency
41 Management, a county or municipal emergency management coordinator or director, a local
42 health department, or any other governmental entity under this section is not a public record as
43 defined in G.S. 132-1 and shall be kept confidential. The plan may be disclosed only to the extent
44 necessary to administer this section and for emergency management, public health, or law
45 enforcement purposes.

46 **"§ 130A-523. Inspections and enforcement authority.**

47 (a) Inspections. – A local health department shall inspect each youth camp at least once
48 each calendar year and as needed to ensure compliance. A local health department is not required
49 to conduct an annual inspection of a facility described in G.S. 130A-513 and may inspect such a
50 facility as needed to enforce G.S. 130A-520(d) and G.S. 130A-522. The local health department

1 shall submit to the Department an inspection report in the form and manner prescribed by the
2 Department.

3 (b) Right of Entry. – The Secretary and a local health director shall have the right of entry
4 upon the premises where entry is necessary to enforce this Chapter or rules adopted by the
5 Commission or a local board of health, as set out in G.S. 130A-17.

6 (c) Enforcement Authority. – The Secretary may deny, suspend, revoke, or refuse to
7 renew a permit issued under this Part in accordance with G.S. 130A-23. The Secretary and a local
8 health director may issue administrative orders requiring corrective action and may order
9 immediate closure where an imminent hazard exists in accordance with G.S. 130A-20, and other
10 remedies are available under G.S. 130A-18 and G.S. 130A-19. The local health department shall
11 notify the Department of enforcement actions taken under this subsection in the form and manner
12 prescribed by the Department.

13 (d) Appeals. – Appeals of actions taken by the Department under this Part shall proceed
14 as contested cases under Chapter 150B of the General Statutes, as provided in G.S. 130A-24(a)
15 through (a1). Appeals concerning the enforcement of rules adopted by the local board of health
16 or actions of the local health director shall be conducted in accordance with G.S. 130A-24(b)
17 through (d).

18 **"§ 130A-524. Uniform data and reporting.**

19 The Commission shall establish by rule uniform data elements and reporting intervals for
20 youth camps. Local health departments shall submit required data to the Department. The
21 Department shall publish an annual summary of program activity and compliance, subject to
22 applicable confidentiality laws. By October 1 each year, the Department shall publish a summary
23 of receipts and expenditures from the Youth Camp Oversight Fund for the prior fiscal year.

24 "Part 2. Campground Safety.

25 **"§ 130A-526. Definitions.**

26 The following definitions apply in this Part:

- 27 (1) Cabin. – A structure used to provide temporary sleeping quarters for
28 occupants of a campground.
29 (2) Campground. – A property that is designed to provide cabins or recreational
30 vehicle sites for transient overnight occupancy or use.
31 (3) Campground operator. – A person or governmental entity that owns, operates,
32 controls, or supervises a campground, regardless of profit status.
33 (4) Floodplain. – As defined in G.S. 130A-512(4).
34 (5) Governmental entity. – The State, a State agency, or a political subdivision of
35 the State.

36 **"§ 130A-527. Safety requirements; emergency plans; submissions.**

37 (a) Emergency Ladder; Plan Required. – A campground operator shall do all of the
38 following:

- 39 (1) Install and maintain in each cabin located within the floodplain an emergency
40 ladder capable of providing access to the cabin's roof.
41 (2) Develop an emergency plan addressing all of the following:
42 a. Evacuation of occupants upon issuance of a flash flood or flood
43 warning affecting an area of the campground within the floodplain.
44 b. Evacuation upon issuance of an evacuation order due to wildfire,
45 hurricane, or other disaster by the Governor or by a municipality or
46 county exercising authority under Chapter 166A of the General
47 Statutes.
48 c. Shelter in place upon issuance of a tornado warning or an order to
49 shelter in place by the Governor or by a municipality or county
50 exercising authority under Chapter 166A of the General Statutes.

1 **(b) Implementation Trigger.** – A campground operator shall implement the plan upon
2 issuance of the specified warnings by the National Weather Service or upon issuance of the
3 specified evacuation or shelter directives by the Governor or by a municipality or county
4 exercising authority under Chapter 166A of the General Statutes.

5 **(c) Submission.** – The following apply:

6 **(1) County submission.** – A campground operator shall furnish the emergency
7 plan to the county emergency management coordinator appointed pursuant to
8 G.S. 166A-19.15(b) for the county in which the campground is located, or the
9 coordinator's designee.

10 **(2) Municipal submission.** – If the campground is located within a municipality
11 that has established an emergency management agency pursuant to
12 G.S. 166A-19.15(c), the operator shall also furnish the emergency plan to the
13 municipal emergency management coordinator, if any, or the coordinator's
14 designee.

15 **(3) Joint agency.** – If a joint emergency management agency has been formed
16 pursuant to G.S. 166A-19.15(d) with jurisdiction over the campground's
17 location, delivery to the coordinator, or the coordinator's designee, of the joint
18 agency satisfies subdivisions (1) and (2) of this subsection.

19 **(d) Confidentiality.** – An emergency plan furnished to a governmental entity under this
20 section is not a public record as defined in G.S. 132-1 and shall be kept confidential. The plan
21 may be disclosed only to the extent necessary for emergency management, public health, or law
22 enforcement purposes.

23 **"§ 130A-528. Fire and life-safety standards.**

24 **(a) Building Code and Fire Code Authority.** – Nothing in this Part alters the authority of
25 the Building Code Council, the Office of the State Fire Marshal, or any local official enforcing
26 the North Carolina State Building Code, including the North Carolina Fire Code.

27 **(b) Documentation.** – For purposes of inspection and enforcement of this Part, a
28 campground operator shall maintain documentation of approvals and inspections issued by the
29 authority having jurisdiction under the North Carolina State Building Code for any cabins or
30 other structures for which such approvals or inspections are required and shall make the
31 documentation available to the Department or the local health department upon request.

32 **(c) Building Code Interpretation.** – Nothing in this Part authorizes the Department or a
33 local health department to interpret or enforce the North Carolina State Building Code.

34 **"§ 130A-529. Rulemaking; enforcement; coordination with Building Code.**

35 **(a) Rulemaking.** – The Commission for Public Health may adopt rules necessary to
36 implement this Part. Rules adopted under this Part shall not conflict with the North Carolina State
37 Building Code, including the Fire Code, and the Commission shall consult with the Building
38 Code Council and the Office of the State Fire Marshal in developing such rules.

39 **(b) Enforcement.** – The Department and local health departments may enforce this Part
40 using the enforcement authorities available under Part 2 of Article 1 of this Chapter, as
41 applicable, including those provided in G.S. 130A-17 through G.S. 130A-20. Appeals shall
42 proceed in accordance with G.S. 130A-24.

43 **(c) Coordination.** – Where a campground is operated as part of a youth camp, the
44 Department and local health departments shall coordinate inspections and enforcement under this
45 Part with Part 1 of this Article to minimize duplicative actions."

46 **SECTION 1.(b)** G.S. 130A-22 is amended by adding a new subsection to read:

47 **"(b4)** The Secretary or the local health director may assess an administrative penalty of not
48 more than one thousand dollars (\$1,000) for each violation of Part 1 of Article 25 of this Chapter
49 or a rule adopted under it. Each day of a continuing violation may be treated as a separate
50 violation. In determining the amount of the penalty, the assessing official shall consider factors,

1 including the degree of risk to public health and safety, the duration and gravity of the violation,
2 corrective actions, prior record, and costs to the State and county of enforcement."

3 **SECTION 2.** G.S. 130A-248 is amended by adding a new subsection to read:

4 "(h) When a facility is permitted as a youth camp under G.S. 130A-514, the Department
5 and local health departments shall coordinate permitting and inspection activities under this
6 section with permitting and inspection under Part 1 of Article 25 of this Chapter to minimize
7 duplication. A permit issued under G.S. 130A-514 does not substitute for any permit required by
8 this section or by other law for food service establishments or lodging establishments or for any
9 public swimming pool or onsite wastewater system regulated elsewhere in this Chapter; however,
10 inspections may be scheduled and documented on a consolidated basis using standardized forms
11 prescribed by the Department."

12 **SECTION 3.(a)** Rulemaking Authority. – The Commission for Public Health shall
13 adopt permanent rules to implement this act and may adopt temporary rules pursuant to
14 G.S. 150B-21.1. In developing rules, the Commission shall consult with the North Carolina
15 Building Code Council and the Office of the State Fire Marshal and shall not adopt rules that
16 conflict with the North Carolina State Building Code, including the Fire Code.

17 **SECTION 3.(b)** Conforming Rule Changes. – The Commission shall amend its
18 rules, as necessary, to conform to the provisions of this act, including rules governing summer
19 camps, resident camps, and primitive experience camps, to recognize the Department as the
20 permitting authority under G.S. 130A-514 and to implement the emergency plan requirements of
21 G.S. 130A-522.

22 **SECTION 3.(c)** Temporary Rules. – Temporary rules shall be adopted and become
23 effective no later than March 1, 2027. Temporary rules shall not establish an initial compliance
24 date earlier than 30 days after the date the temporary rules become effective. Temporary rules
25 shall remain in effect until the effective date of permanent rules adopted pursuant to this act that
26 replace the temporary rules.

27 **SECTION 3.(d)** Permanent Rules. – The Commission shall adopt permanent rules
28 no later than October 1, 2027.

29 **SECTION 4.(a)** Forms, Systems, and Training. – The Department of Health and
30 Human Services shall do all of the following on or before the date temporary rules adopted
31 pursuant to this act become effective:

- 32 (1) Make available standardized forms, templates, instructions, and an electronic
33 submission process sufficient to accept permit applications, emergency plans,
34 and other submissions required under Article 25 of Chapter 130A of the
35 General Statutes.
- 36 (2) Establish the database required by G.S. 130A-522(i) and provide access to the
37 entities described in that subsection.
- 38 (3) Provide guidance and training materials to local health departments to support
39 consistent implementation.

40 **SECTION 4.(b)** Emergency Plan Submissions. – Notwithstanding
41 G.S. 130A-522(f), a youth camp operator or a facility described in G.S. 130A-513 is not required
42 to submit an emergency plan to the Department before the date that is 60 days after the date
43 temporary rules adopted pursuant to this act become effective. On and after that date, emergency
44 plans shall be submitted in the form and manner prescribed by the Department and in accordance
45 with G.S. 130A-522(f).

46 **SECTION 4.(c)** Permit Phase-In. – Notwithstanding G.S. 130A-514(a), the
47 following apply:

- 48 (1) Permit requirement. – A permit under Article 25 of Chapter 130A of the
49 General Statutes is required on and after the date that is 60 days after the date
50 temporary rules adopted pursuant to this act become effective. This
51 subdivision applies to permit applications submitted on or after that date.

1 (2) Temporary bridge for emergency plan approval. – For the period beginning
2 on the date described in subdivision (1) of this subsection and ending
3 December 31, 2027, the Department may issue or renew a permit
4 notwithstanding the requirement for plan approval in G.S. 130A-514(b) and
5 G.S. 130A-522(f)(5) if the youth camp operator has submitted an emergency
6 plan in accordance with G.S. 130A-522(f)(1) and certifies compliance with
7 temporary rules adopted pursuant to this act, in the form and manner
8 prescribed by the Department. The Department may deny, suspend, revoke,
9 or refuse to renew a permit as authorized by law if the operator fails to cure
10 deficiencies identified by the Department within the time allowed under
11 G.S. 130A-522(f).

12 (3) Hard launch. – On and after January 1, 2028, the Department shall not issue
13 or renew a permit unless the emergency plan has been approved in accordance
14 with G.S. 130A-522(f).

15 **SECTION 4.(d)** Online List. – The Department shall establish the online list required
16 by G.S. 130A-519 no later than the date the permit requirement begins under subsection (c) of
17 this section.

18 **SECTION 4.(e)** Inspections. – Notwithstanding G.S. 130A-523(a), the requirement
19 to inspect each youth camp at least once each calendar year applies to inspections conducted on
20 or after January 1, 2028. Nothing in this subsection limits inspections conducted as needed to
21 ensure compliance or to address an imminent hazard as authorized by law.

22 **SECTION 4.(f)** Youth Camp Safety Multidisciplinary Team. – The appointing
23 authorities for the members described in G.S. 130A-516(b)(8) and (9) shall make the initial
24 appointments no later than 30 days after this act becomes law. Each agency or entity listed in
25 G.S. 130A-516(b)(1) through (7) shall designate its representative not later than 30 days after
26 this act becomes law. The Secretary of the Department of Health and Human Services shall
27 convene the first meeting of the Team no later than 60 days after this act becomes law.

28 **SECTION 4.(g)** Agency Preparations. – The Commission for Public Health, the
29 Department of Health and Human Services, the Youth Camp Safety Multidisciplinary Team
30 established in G.S. 130A-516, and the agencies represented on the Team may begin rulemaking,
31 guidance development, interagency coordination, and implementation when this act becomes
32 law.

33 **SECTION 5.** Funding. – The sum of five hundred thousand dollars (\$500,000) in
34 recurring funds beginning with the 2026-2027 fiscal year is appropriated from the General Fund
35 to the Department of Health and Human Services for implementation of the requirements of this
36 act. The Department may establish up to four positions with the funds appropriated by this
37 section.

38 **SECTION 6.** Effective Date. – Section 5 of this act becomes effective July 1, 2026.
39 The remainder of this act is effective when it becomes law.