

HB381 ENROLLED



1 HB381
2 7BLD8EV-2
3 By Representatives Faulkner, Ledbetter, Hulseley, Crow,
4 Stringer, Treadaway, Kirkland, DuBose, Moore (P), Pettus,
5 Underwood, Bedsole, Brinyark, Estes, Wilcox, Stadthagen,
6 Colvin, Baker, Ingram, Sells, Shirey, Gidley, Lamb, Lovvorn,
7 Moore (M), Datcher, Morris, Sellers, Yarbrough, Lawrence, Lee,
8 Clouse, Bracy, Tillman, Jackson, Hendrix, Boyd, Ross, Ensler,
9 Lands, Travis, Clarke, Hill, Carns, Reynolds, Paramore, Whitt,
10 Crawford, Standridge, Starnes, Easterbrook, Bolton, Fincher,
11 McClammy, Gray, Rafferty, McCampbell, England, Chestnut,
12 Warren, Drummond, Forte, Holk-Jones, Givens, Garrett, Pringle,
13 Marques, Sorrells, Brown, Smith, Allbright, Rehm
14 RFD: State Government
15 First Read: 03-Feb-26



HB381 Enrolled

1 Enrolled, An Act,

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3 Regarding camp safety; to provide minimum requirements
4 for emergency preparedness licensure of residential camp sites
5 by the Alabama Emergency Management Agency, including staff
6 retention and training, weather monitoring and communication,
7 flood and weather safety, and emergency and evacuation plans.

8 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

9 Section 1. This act shall be known and may be cited as
10 the Sarah Marsh Heaven's 27 Camp Safety Act.

11 Section 2. For purposes of this act, the following
12 terms have the following meanings:

13 (1) AGENCY. The Alabama Emergency Management Agency.

14 (2) CABIN. Any structure in which campers sleep,
15 including, but not limited to, a cabin, dormitory, or
16 bunkhouse, regardless of camper capacity.

17 (3) CAMP. Any dedicated site in the State of Alabama
18 where campers temporarily gather for recreational, religious,
19 social, educational, or therapeutic purposes, whether operated
20 for profit or nonprofit purposes, and which provides cabins
21 for campers to stay overnight. The term does not include a
22 dedicated location or structure for hunting or fishing or the
23 use of available dormitory space or other residences at an
24 educational institution.

25 (4) CAMPER. An individual who is 16 years of age or
26 younger who is present and lodging at a camp for the purpose
27 of participating in the recreational, religious, social,
28 educational, or therapeutic activities provided under the



HB381 Enrolled

29 supervision of the camp operator and staff.

30 (5) CAMP OPERATIONS. Physical custody of campers
31 outside of the presence of parents or legal guardians for a
32 period of days which requires staying overnight, during which
33 the camp operator and staff supervise campers' participation
34 in recreational, religious, social, educational, or
35 therapeutic activities.

36 (6) CAMP OPERATOR. a. The term includes:

37 1. An individual or entity that administers camp
38 operations, including the provision of staff, regardless of
39 any ownership interest in the camp operations, assets,
40 personal property, or the site on which the camp is located.

41 2. An individual or entity that maintains a camp that
42 includes staff members who may service dining, recreational,
43 or other facilities, but which otherwise does not administer
44 camp operations and leases the camp to other organizations to
45 conduct camp operations.

46 b. The term does not include any of the following:

47 1. An organization that leases a camp from a camp
48 operator for the purpose of administering camp operations.

49 2. An individual or entity that leases a camp for a
50 retreat, seminar, or training in which the majority of
51 participants are individuals who are 19 years of age or older.

52 3. An individual or entity that operates a conference
53 center, hotel, or resort that is leased by individuals or
54 entities, but is not responsible for custodial oversight of
55 the guests.

56 4. An owner of land that leases the land to a camp



HB381 Enrolled

57 operator but does not engage itself in camp operations on the
58 land.

59 (7) EMERGENCY PREPAREDNESS LICENSE. The license issued
60 by the agency to a camp operator which certifies that a camp
61 complies with this act.

62 (8) FLOODPLAIN. Any area within a 100-year floodplain
63 as designated by the Federal Emergency Management Agency
64 pursuant to the National Flood Insurance Act of 1968, 42
65 U.S.C. § 4001 et seq., including a letter of map revision
66 based on fill, or a similar administrative process by the
67 Federal Emergency Management Agency.

68 (9) LOCAL ORGANIZATION. The local organization for
69 emergency management as authorized in Section 31-9-10, Code of
70 Alabama 1975.

71 (10) STAFF MEMBER. An individual who is retained on an
72 employment, contractual, or volunteer basis by a camp operator
73 to provide camp operations, including security, maintenance,
74 orientation, organization, scheduling, instruction,
75 hospitality, emotional support, counseling, worship, meals or
76 refreshments, first aid, or supervision of recreation, sports,
77 or crafts.

78 Section 3. (a) On and after January 1, 2027, a camp
79 operator shall apply for and obtain an emergency preparedness
80 license in accordance with the requirements of this act as a
81 condition for conducting camp operations.

82 (b) An emergency preparedness license shall be valid
83 for a period of five years from the date of approval, unless a
84 camp operator within that period makes a material change to



HB381 Enrolled

85 the camp as described in subsection (c).

86 (c) A supplemental application to maintain an emergency
87 preparedness license that has been issued shall be submitted
88 at any time within 45 days of any of the following material
89 changes to the camp:

90 (1) The boundaries of the camp are altered.

91 (2) The number of cabins is increased.

92 (3) Any renovation to an existing cabin which results
93 in an increase of more than three in camper capacity.

94 (d) (1) When granting an approval to an application for
95 an emergency preparedness license, the agency shall include in
96 the notice of approval to the camp operator the date on which
97 the five-year period shall expire, which shall be the deadline
98 by which the license shall be renewed by submission of a
99 supplemental application.

100 (2) If a camp operator submits a supplemental
101 application to maintain an emergency preparedness license in
102 compliance with subsection (c), upon approval of the
103 supplemental application, the agency may extend the deadline
104 required under subdivision (1), but no extension may be made
105 for a period longer than five years from the date of approval
106 of the supplemental application.

107 (3) No less than 90 days before the deadline set by the
108 agency under subdivision (1) or subdivision (2), the agency
109 shall remind the camp operator by a written and digital notice
110 of the deadline for submission of the supplemental application
111 for renewal of the license. Notwithstanding the deadline, a
112 license shall remain valid pending the agency's determination



HB381 Enrolled

113 to renew the license on a supplemental application that is
114 submitted no later than the deadline.

115 (e) No camp operator may apply for an emergency
116 preparedness license without presenting documentation to the
117 agency: (i) that the camp is regulated by the Alabama
118 Department of Public Health for the sanitation of food
119 preparation and lodging facilities as evidenced by a valid
120 permit; and (ii) that the camp and camp operations are covered
121 by liability insurance.

122 (f) When an initial application is submitted for an
123 emergency preparedness license, within 90 days the agency
124 shall notify the camp operator of the determination approving
125 or disapproving the application.

126 (g) The agency may prescribe by rule the conditions
127 required to implement the application and approval period
128 conditions required in this section, and shall develop
129 application forms and written instructions to a camp operator
130 for documentation necessary to substantiate compliance with
131 each section of this act.

132 (h) If a camp operator administers camp operations at
133 more than one camp, a separate emergency preparedness license
134 shall be required for each camp.

135 (i) The agency shall post, maintain, or update on the
136 agency's website a list of each camp that has a valid license
137 pursuant to this act.

138 Section 4. (a) No individual may be retained by a camp
139 operator as a staff member who has been convicted of a crime
140 that involves a sexual or violent act, including those



HB381 Enrolled

141 unlawful under Chapter 6 of Title 13A, Code of Alabama 1975,
142 as disclosed by the Alabama State Law Enforcement Agency or a
143 contractor that is: (i) recognized as reliable among
144 professional camping organizations to perform criminal history
145 background checks on prospective staff members; or (ii) is
146 approved by the agency.

147 (b) Each camp operator shall submit to the agency a
148 list of staff members retained by a camp: (i) in the initial
149 emergency preparedness license application; or (ii) any
150 supplemental application for renewal of the license due to
151 expiration of an application deadline set by the agency
152 pursuant to Section 3(d).

153 Section 5. (a) As of January 1, 2027, no camp operator
154 shall construct or expand a cabin located in a floodplain.

155 (b) Notwithstanding subsection (a), the agency shall
156 approve the continued operation of an existing cabin located
157 in a floodplain if the camp operator demonstrates to the
158 agency all of the following:

159 (1) The lowest finished floor elevation of the cabin is
160 at least two feet above the applicable base flood elevation.
161 Where a base flood elevation is not provided, the camp
162 operator shall obtain and utilize the best available flood
163 data to determine flood risk for the affected cabin.

164 (2) One or more high-water markers (HWM) as needed,
165 based upon on-the-ground measures and real-time conditions,
166 are installed at appropriate locations near the affected
167 cabin.

168 (3) The cabin is not located within a designated



HB381 Enrolled

169 regulatory floodway as identified on the most current flood
170 hazard map published by the Federal Emergency Management
171 Agency (FEMA).

172 (4) The emergency plan required under Section 8
173 includes enhanced evacuation procedures specific to flood
174 risk.

175 (c) Any cabin located or to be located in a camp that
176 is located in or contiguous to a zone mapped by FEMA as zone V
177 or zone VE in a coastal high hazard area is exempt from the
178 provisions of this section regardless of the FEMA zone
179 classification in which the cabin is located.

180 Section 6. As a condition for receiving an emergency
181 preparedness license, a camp shall operate with all of the
182 following equipment or capabilities:

183 (1) A NOAA Weather Radio that transmits "all-hazards"
184 notifications.

185 (2) A protocol to alert essential staff members of an
186 emergency, including a redundant procedure that does not rely
187 on text messaging or cellular service.

188 (3) A notification system that does not rely on an
189 Internet connection and that is capable of providing an alarm
190 and notification of an emergency which is audible both indoors
191 and outdoors to staff members and campers.

192 Section 7. Each camp shall have as many designated
193 sheltering spaces as are necessary to afford capacity for the
194 maximum number of campers and staff members who are overnight
195 residents.

196 Section 8. (a) The agency shall not approve an



HB381 Enrolled

197 emergency preparedness license for a camp unless the camp
198 maintains an emergency plan that provides for the protection
199 and safety of campers and complies with the requirements of
200 this section.

201 (b) An emergency plan shall contain procedures for
202 responding to all of the following situations:

203 (1) A lost camper.

204 (2) A fire on camp premises.

205 (3) A severe illness, injury, or death of a camper,
206 staff member, or visitor which occurs on camp premises or
207 while under the supervision of a staff member.

208 (4) An incident or condition involving a watercourse,
209 lake, or pond within or near the camp.

210 (5) A warning of impending severe weather, such as
211 torrential rain, hail, thunderstorm, or a tornado.

212 (6) An outbreak of sickness or an epidemic.

213 (7) An unauthorized individual on the campsite.

214 (8) Any natural disaster that threatens life or
215 property.

216 (9) An emergency or incident related to transportation
217 of campers or staff members during the days of a camp session.

218 (c) An emergency plan shall designate one or more
219 locations for campers and staff members to gather in case of
220 an emergency that requires an evacuation of the camp or a
221 shelter in place.

222 (d) (1) An emergency plan shall contain a procedure for
223 responses to emergency threats as applicable to the camp as
224 listed in subsection (b), which shall include, but not be



HB381 Enrolled

225 limited to, both of the following:

226 a. Communication to campers and staff members on use of
227 prescribed evacuation routes.

228 b. Procedures for nighttime evacuation.

229 (2) The agency may prescribe that each camp have one or
230 more staff members to be the designated emergency preparedness
231 coordinators to monitor weather conditions, act as liaison
232 with the local organization, and ensure compliance with staff
233 training pursuant to Section 10(c)(2).

234 (e) An emergency plan shall contain a procedure to
235 shelter in place in case of a tornado, a severe thunderstorm
236 warning, or other sudden threat in which evacuation is
237 impractical or increases the risk of harm to campers.

238 (f) The procedures developed pursuant to subsections
239 (b) through (e) shall include all of the following:

240 (1) A protocol for identifying and accounting for each
241 camper affected by the emergency event.

242 (2) Notification of the local organization, with a
243 provision for ongoing communication with the local
244 organization as conditions unfold during an emergency.

245 (3) Ongoing communication between the camp operator and
246 all essential staff members pursuant to Section 6(2).

247 (4) Notification to each parent or legal guardian of a
248 camper of the emergency event and the safety measures taken as
249 soon as reasonably possible in relation to the emergency.

250 (g) In the preparation of an emergency plan, a camp
251 operator or emergency preparedness coordinator may consult
252 with the local organization, the agency, the American Camp



HB381 Enrolled

253 Association, or another professional group for camps
254 concerning the implementation of best practices.

255 Section 9. (a) (1) A camp operator shall submit the
256 emergency plan required in Section 8 to the agency for
257 approval with the initial application for an emergency
258 preparedness license.

259 (2) The plan shall be updated or amended if a
260 supplemental application to maintain an emergency preparedness
261 license is required pursuant to Section 3(c) and included with
262 the supplemental application as a condition for approval.

263 (3) If the plan is updated or amended for any reason
264 other than for a mandatory condition pursuant to Section 3(c),
265 the updated plan shall be submitted within 10 days of the
266 update or amendment to the agency for approval, and the agency
267 may dispense with resubmission of the updated or amended plan
268 with the next required supplemental application for a renewal
269 license in compliance with a deadline set by the agency
270 pursuant to Section 3(d).

271 (4) If the agency determines that the emergency plan
272 does not meet the minimum standards prescribed by Section 8,
273 the agency shall notify the camp operator of the plan's
274 deficiencies, and the camp operator shall remedy and resubmit
275 a revised plan no later than 90 days after receiving the
276 notice.

277 (5) Upon approval by the agency, the agency shall also
278 provide a copy of an updated or amended version of the
279 emergency plan to the local organization.

280 (b) The agency shall store the most recent version of



HB381 Enrolled

281 an approved emergency plan in a digital database.

282 Section 10. (a) (1) Upon request by a parent or legal
283 guardian of a registered camper, a camp operator shall
284 provide: (i) a copy of the camp's current emergency
285 preparedness license; and (ii) a short, written summary of the
286 camp's emergency procedures.

287 (2) Upon request by a parent or legal guardian of a
288 prospective camper, a camp operator shall provide a copy of
289 the camp's emergency preparedness license.

290 (3) Upon request by a parent or legal guardian of a
291 registered or prospective camper, a camp operator shall
292 provide notice of any cabin that is located on a floodplain.

293 (b) Not more than 24 hours after the start of a camp
294 session, the camp operator and staff members shall conduct a
295 mandatory safety orientation that includes all of the
296 following information:

297 (1) The camp's boundaries and any hazards present on
298 camp premises.

299 (2) Developmentally appropriate instruction on the
300 appropriate actions, including evacuation procedures, to take
301 in case of an emergency event which conform to the emergency
302 plan.

303 (c) (1) Each staff member shall participate in a review
304 of the most recent version of the camp's emergency plan at
305 least once a year or upon approval of the agency of an
306 amendment or update to the plan pursuant to Section 9(a).

307 (2) Each staff member shall successfully complete
308 annual training on the proper procedures to follow according



HB381 Enrolled

309 to the emergency plan.

310 (3) A camp operator shall maintain a written or digital
311 record documenting each staff member's successful completion
312 of the training required under subdivision (2).

313 (d) (1) A camp operator as defined in Section 2(6)a.2.,
314 shall require, by lease or contract, that an organization that
315 is using the camp to administer camp operations do all of the
316 following:

317 a. Verify that the staff members supplied by the
318 organization to administer camp operations have been subjected
319 to a criminal history background check as provided in Section
320 4(a).

321 b. Agree that the staff members supplied by the
322 organization to administer camp operations shall familiarize
323 themselves with the camp operator's emergency plan and plan
324 for evacuation.

325 c. Agree that the staff members supplied by the
326 organization to administer camp operations, within 24 hours of
327 the arrival of campers, shall provide developmentally
328 appropriate instruction to the campers on the appropriate
329 actions to take during an emergency event which conform to the
330 camp operator's emergency plan.

331 (2) The emergency preparedness coordinator designated
332 by the camp operator pursuant to Section 8(d)(2) shall provide
333 an orientation and review of the camp emergency and evacuation
334 plans to the staff members supplied by the organization to
335 administer camp operations upon their arrival at the camp.

336 Section 11. (a) An agency disapproval of an initial or



HB381 Enrolled

337 supplemental application for an emergency preparedness
338 license, including disapproval of an emergency plan, shall
339 specify in writing the condition or requirement in this act or
340 in an agency rule which the applicant failed to meet or
341 satisfy with sufficient detail that the applicant may
342 understand the action or measure required to remedy the
343 deficiency.

344 (b) (1) Any applicant, upon receipt of an agency
345 disapproval under subsection (a), may submit a written appeal
346 to the director of the agency within 30 days of receiving the
347 decision of disapproval for reconsideration. The applicant may
348 include with the appeal a written explanation as to why the
349 application or submission should be approved. The director may
350 afford the applicant an informal hearing to explain the reason
351 the application or submission should be approved.

352 (2) Upon reconsideration, the director may:

353 a. Reverse the decision based on the applicant's
354 written explanation or information gathered at an informal
355 hearing; or

356 b. Uphold the decision based on the applicant's written
357 explanation or information gathered at an informal hearing.

358 (3) The decision of the agency director pursuant to
359 subdivision (2) shall be final but without prejudice to the
360 applicant's right to again apply for approval at any time.

361 (c) The agency may adopt rules to govern appeals, with
362 criteria for granting a variance to a condition or requirement
363 when an applicant demonstrates that the measures being planned
364 or implemented otherwise protect the safety of campers.



HB381 Enrolled

365 Section 12. (a) The agency may inspect a camp to verify
366 compliance. Except in an emergency, or when responding to a
367 specific, credible complaint alleging noncompliance or unsafe
368 conditions, the agency shall conduct the inspection at a time
369 agreed upon with the camp operator.

370 (b) An inspection shall be limited to verifying
371 required documentation, staff member training records, and the
372 on-site availability of safety plans approved by the agency.

373 Section 13. (a) A Youth Camp Safety Advisory Council
374 (advisory council) is established as an independent council to
375 advise the agency on the implementation of the requirements of
376 this act: (i) during the period between the passage of this
377 act and January 1, 2027; and (ii) on an ongoing basis after
378 the act takes effect. This council shall be advisory only and
379 shall have no independent regulatory authority.

380 (b) (1) The membership of the advisory council shall
381 consist of all of the following:

382 a. The Director of the Alabama Emergency Management
383 Agency, or his or her designee.

384 b. A representative of the Alabama Department of Public
385 Health, to be appointed by the State Health Officer.

386 c. The Chief of the Alabama Office of Water Resources
387 of the Alabama Department of Economic and Community Affairs,
388 or his or her designee.

389 d. The Secretary of the Alabama State Law Enforcement
390 Agency, or his or her designee.

391 e. Two representatives from the Association of Alabama
392 Camps, to be appointed by the president.



HB381 Enrolled

393 f. A representative from the Alabama Association of
394 Rescue Squads, to be appointed by the executive board
395 director.

396 g. A representative from the Campaign for Camp Safety
397 who is a resident of the state and who has attended a camp in
398 the state or has a child or close relative who is attending a
399 camp in the state, to be chosen by the membership.

400 h. A representative from the Alabama Association of
401 Emergency Managers.

402 i. A representative from the YMCA who is experienced in
403 camping matters, to be appointed by the Governor.

404 j. A representative from Scouting America who is
405 experienced in camping matters, to be appointed by the
406 Governor.

407 k. A representative from Camp McDowell, to be appointed
408 by the board of directors of the camp.

409 (2) Appointments to the advisory council shall be
410 coordinated to assure that council membership is inclusive and
411 reflects the racial, gender, geographic, urban, rural, and
412 economic diversity of the state.

413 (3) Members from state departments or agencies shall
414 serve terms that coincide with their respective offices or
415 appointments. No individual shall continue to serve on the
416 advisory council when he or she or, if applicable, the
417 designating officer, no longer serves in the office to which
418 he or she was appointed.

419 (4) Members shall serve without compensation and be
420 reimbursed by their respective departments or agencies or, if



HB381 Enrolled

421 applicable, according to the policy of their respective
422 organizations.

423 (c) (1) The advisory council shall hold an
424 organizational meeting in person no later than 45 days after
425 the enactment of this section at the call of the chair, who
426 shall be the Director of the Alabama Emergency Management
427 Agency, or his or her designee.

428 (2) At the organizational meeting, the council shall
429 elect a cochair, who shall be one of representatives from the
430 Association of Alabama Camps.

431 (3) After the organizational meeting, the advisory
432 council shall meet at the call of the chair and proceedings
433 may be conducted by electronic means.

434 (4) The advisory council shall meet as necessary to
435 fulfill the responsibilities described in subsection (a).

436 (d) The advisory council shall dissolve three years
437 from the date this section takes effect.

438 Section 14. Nothing in this act shall be interpreted to
439 change any element of civil liability with respect to any
440 possible claim against a camp nor create a cause of action
441 solely for a violation of this act.

442 Section 15. The agency is authorized to adopt rules
443 necessary to implement, administer, and enforce the
444 requirements of this act, and may not adopt any rules that
445 expand the scope of this act or which impose additional duties
446 not expressly provided for herein.

447 Section 16. This act shall become effective on January
448 1, 2027, except Section 13 shall take effect immediately upon

HB381 Enrolled



449 approval by the Governor.



HB381 Enrolled

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Speaker of the House of Representatives

President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in and was passed by the House 17-Feb-26, as amended.

John Treadwell
Clerk

Senate

31-Mar-26

Amended and Passed

House

31-Mar-26

Concurred in Senate
Amendment