

AMENDED IN SENATE APRIL 10, 2012

**SENATE BILL**

**No. 1087**

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**Introduced by Senator Walters**

February 15, 2012

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An act to amend Section 8484.3 of the Education Code, and to amend Sections 1596.793 and 18897 of, and to add Section 18897.8 to, the Health and Safety Code, relating to organized camps.

LEGISLATIVE COUNSEL'S DIGEST

SB 1087, as amended, Walters. Organized camps.

(1) Existing law requires the Director of the State Department of Public Health to establish rules and regulations establishing minimum standards for organized camps and regulating the operation of organized camps that the director determines are necessary to protect the health and safety of the campers.

This bill would require the department, in amending the rules and regulations pertaining to organized camps, to obtain the input and advice of organizations in the field.

(2) Existing law permits a participating program operated by a city, county, or nonprofit organization in the After School Learning and Safe Neighborhoods Partnership Program to operate for up to 30 hours per week without obtaining a license or special permit otherwise required under existing law.

The bill would increase the authorization to 60 hours per week and provide that an individual ~~child~~ *pupil* cannot be in care in the program for more than 30 hours per week.

(3) Existing law regulates the licensure and administration of day care centers and family day care centers and exempts specified recreation programs conducted for children from these regulations.

The bill would expand the scope of this exemption.

(4) Existing law establishes minimum standards for the operation, regulation, and enforcement of organized camps, as defined.

The bill would recast the term “organized camp” as “organized resident camp” and define that term. The bill would define the term “organized day camp” and require an organized resident camp and organized day camp to develop an operating plan.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

*The people of the State of California do enact as follows:*

1 SECTION 1. The State Department of Public Health, in  
2 amending the rules and regulations pertaining to organized resident  
3 camps and organized day camps as set forth in Sections 30700 to  
4 30753, inclusive, of Title 17 of the California Code of Regulations,  
5 shall obtain the input and advice of organizations in the field. All  
6 costs incurred by the participating organizations shall be borne by  
7 the organizations themselves. The department shall implement this  
8 section in the most cost-effective manner deemed feasible.

9 SEC. 2. Section 8484.3 of the Education Code is amended to  
10 read:

11 8484.3. (a) Programs established pursuant to this article shall  
12 not be required to comply with the requirements of other provisions  
13 of this chapter or requirements set forth in Chapter 19 of Division  
14 1 of Title 5 of the California Code of Regulations.

15 (b) Notwithstanding any other provision of law or regulation,  
16 an After School Education and Safety Program (ASES) operated  
17 by a city, county, or nonprofit organization pursuant to this article  
18 may operate for up to 60 hours per week without obtaining a license  
19 or special permit under Chapter 3.4 (commencing with Section  
20 1596.70) or Chapter 3.5 (commencing with Section 1596.90) of  
21 Division 2 of the Health and Safety Code. ~~A child shall not be in  
22 care in the program~~ *pupil shall not attend an ASES program* for  
23 more than 30 hours per week. *An ASES program shall not receive  
24 any additional funding pursuant to this subdivision.*

25 SEC. 3. Section 1596.793 of the Health and Safety Code is  
26 amended to read:

27 1596.793. This chapter and Chapters 3.5 (commencing with  
28 Section 1596.90) and 3.6 (commencing with Section 1597.30) do

1 not apply to recreation programs conducted for children by the  
2 YMCA, Girl Scouts of the USA, Boy Scouts of America, Boys  
3 and Girls Clubs, Camp Fire USA, organized resident camps,  
4 organized day camps, or similar organizations.

5 SEC. 4. Section 18897 of the Health and Safety Code is  
6 amended to read:

7 18897. (a) (1) “Organized resident camp” means a site with  
8 programs and facilities established for the primary purposes of  
9 providing an outdoor group living experience with social, spiritual,  
10 educational, or recreational objectives, for five consecutive days  
11 or more during one or more seasons of the year. An overnight stay  
12 is not required to meet this definition. Programs, retreats,  
13 conferences, and events held on organized resident campsites that  
14 are less than five consecutive days in duration shall not be required  
15 to meet the provisions of this section, but shall comply with  
16 subdivision (a) of Section 30751 of Title 17 of the California Code  
17 of Regulations. Camps accredited or operated by organizations  
18 including, but not limited to, the YMCA, Girl Scouts of the USA,  
19 Boy Scouts of America, Camp Fire USA, Boys and Girls Clubs,  
20 Salvation Army, and Christian Camp and Conference Association  
21 camps, shall be considered prototypes of an organized resident  
22 camp.

23 (2) “Organized day camp” means a site serving schoolage  
24 children up to 17 years of age, inclusive, which operates seasonally  
25 during times when school is not regularly in session. An organized  
26 day camp focuses on group-based recreation and expanded learning  
27 opportunities with social, spiritual, educational, or recreational  
28 objectives. An organized day camp does not typically provide for  
29 overnight stays and frequently transports campers to parks, beaches,  
30 campsites, and other excursion locations for activities. A qualified  
31 program director who preferably has at least two seasons of  
32 administrative or supervisory experience at an organized camp  
33 and a staff adequate to carry out the program shall be present at  
34 the organized day camp. A day camp shall use the same  
35 counselor-to-camper ratio as that required of an organized camp.  
36 Each employee of an organized day camp shall have a criminal  
37 record check as specified in subdivision (a) of Section 30751 of  
38 Title 17 of the California Code of Regulations.

1 (3) Membership in any of the following organizations shall also  
2 be indicative of status as an “organized resident camp” or  
3 “organized day camp” for purposes of this section:

- 4 (A) The American Camp Association.
- 5 (B) The Association for Environmental and Outdoor Recreation.
- 6 (C) Christian Camp and Conference Association.
- 7 (D) Western Association of Independent Camps.
- 8 (E) The Boy Scouts of America.
- 9 (F) The YMCA.
- 10 (G) Other similar camping associations.

11 (b) The terms “organized resident camp” and “organized day  
12 camp” do not include a motel, tourist camp, trailer park, resort,  
13 hunting camp, auto court, labor camp, penal or correctional camp  
14 and do not include a licensed child care institution or home-finding  
15 agency.

16 (c) The term “organized resident camp” or “organized day  
17 camp” also does not include any charitable or recreational  
18 organization that complies with the rules and regulations for  
19 recreational trailer parks.

20 (d) Organized resident camps or organized day camps operated  
21 by cities or counties shall meet the provisions of this chapter.

22 SEC. 5. Section 18897.8 is added to the Health and Safety  
23 Code, to read:

24 18897.8. (a) An organized resident camp or day camp shall  
25 develop a written operating plan and file the plan with the local  
26 health department at least 30 days prior to operation. The local  
27 health department shall acknowledge receipt of the operating plan  
28 within 30 days. The acknowledged plan shall be posted, with the  
29 accompanying acknowledgment letter, in a conspicuous location,  
30 on camp premises, and on any available Internet Web site  
31 associated with the camp.

32 (b) (1) If an organized resident camp or day camp also  
33 constructs or operates educational facilities and programs, which  
34 include, but are not limited to, ropes courses, challenge courses,  
35 climbing walls, rappelling towers, zip lines, canopy tours, or other  
36 similar adventure challenges, the camp shall include in the written  
37 operating plan prepared pursuant to subdivision (a) a provision  
38 keeping campers separated from individuals who use these facilities  
39 on a day-use basis, and also provisions that meet the construction  
40 and operating standards of one or more of the following:

- 1 (A) The American Camp Association.
- 2 (B) The Association of Challenge Course Technology.
- 3 (C) Project COPE standards.
- 4 (D) An equivalent certification program.
- 5 (2) A written operating plan prepared pursuant to this
- 6 subdivision shall be filed with the local health department at least
- 7 30 days prior to construction, and shall also be filed annually
- 8 thereafter. Camps shall submit their plans and any associated fees
- 9 to the local health department by certified mail.

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