House of Representatives

General Assembly

File No. 204

February Session, 2000

Substitute House Bill No. 5450

House of Representatives, March 23, 2000

The Committee on Public Health reported through REP. EBERLE of the 15th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

An Act Concerning Municipal Day Camps.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 19a-420 of the general statutes is repealed and the following is substituted in lieu thereof:

As used in this chapter:

[(a)**]** (1) "Youth camp" means any regularly scheduled program or organized group activity advertised as a camp or operated by a person, partnership, corporation, association, the state or a municipal agency for recreational or educational purposes and accommodating for profit or under philanthropic or charitable auspices five or more children, under eighteen years of age, who are **[**(1)**]** (A) not bona fide personal guests in the private home of an individual, and **[**(2)**]** (B) living apart from their relatives, parents or legal guardian, for a period of three days or more per week or portions of three or more days per week, provided any such relative, parent or guardian who is an

employee of such camp shall not be considered to be in the position of loco parentis to [his] such employee's child for the purposes of this chapter, but does not include schools which operate a summer educational program or licensed day care centers;

[(b)] (2) "Resident camp" means any youth camp which is established, conducted or maintained on any parcel or parcels of land on which there are located dwelling units or buildings intended to accommodate five or more children for at least seventy-two consecutive hours and in which the campers attending such camps eat and sleep;

[(c)] (3) "Day camp" means any youth camp which is established, conducted or maintained on any parcel or parcels of land on which there are located dwelling units or buildings intended to accommodate five or more children during daylight hours for at least three days a week with the campers eating and sleeping at home, except for one meal per day, but does not include programs operated by a municipal agency;

[(d)] (4) "Person" means any individual, partnership, association, organization, limited liability company or corporation;

[(e)] (5) "Commissioner" means the Commissioner of Public Health; and

[(f)] (6) "Department" means the Department of Public Health.

Sec. 2. Section 19a-422 of the general statutes is repealed and the following is substituted in lieu thereof:

(a) To be eligible for the issuance or renewal of a youth camp license pursuant to this chapter, the camp shall satisfy the following requirements: [(a)] (1) The location of the camp shall be such as to provide adequate surface drainage and afford facilities for obtaining a good water supply; [(b)] (2) each dwelling unit, building and structure

shall be maintained in good condition, suitable for the use to which it is put, and shall present no health or fire hazard as so certified, within ninety days of such application, by the [Department of Public Health] department or the State Fire Marshal, as the case may be; [(c)] (3) there shall be an adequate and competent staff, which includes the camp director, activities specialists, counselors and maintenance personnel, of good character and reputation; [(d)] (4) all hazardous activities, including but not limited to archery, aquatics, horseback riding and firearms instruction, shall be supervised by a qualified activities specialist who has adequate experience and training in his specialty; [(e)] (5) the staff of a resident and nonresident camp shall at all times include an adult trained in the administration of first aid as required by the commissioner; [(f)] and (6) records of personal data for each camper shall be kept in any reasonable form that the camp director may choose, including [therein] in such records the camper's name, age and address, [;] the name, address and telephone number of the parents or guardian, [;] the dates of admission and discharge, [;] and [other] such other information as the commissioner shall require.

(b) Any youth camp licensed under this chapter shall operate only as the type of camp authorized by such license. Such camps shall not advertise any service they are not equipped or licensed to offer. The license shall be posted in a conspicuous place at camp headquarters and failure to so post the license shall result in the presumption that the camp is being operated in violation of this chapter.

Sec. 3. (NEW) (a) As used in this section, (1) "day camp" means any youth camp that is established, conducted or maintained on any parcel or parcels of land on which there are located dwelling units or buildings intended to accommodate five or more children during daylight hours for at least three days a week with the campers eating and sleeping at home, except for one meal per day, and (2) "youth camp" shall have the same meaning as provided in section 19a-420 of the general statutes, as amended by this act.

75 (b) Each municipal agency that operates a day camp shall comply
76 with the requirements set forth in subsection (a) of section 19a-422 of
77 the general statutes, as amended by this act, and the regulations
78 adopted by the Commissioner of Public Health pursuant to section
79 19a-428 of the general statutes, as amended, provided, any
80 municipality may, by ordinance, adopt standards for the safe and
81 sanitary operation of a day camp by an agency of such municipality
82 that are higher than the standards set forth in said subsection and such
83 regulations. Nothing in this subsection shall be construed to require
84 any day camp operated by a municipal agency to be licensed under
85 chapter 368r of the general statutes.

86 (c) The local or district director of health having jurisdiction over
87 any day camp operated by a municipal agency may inspect such day
88 camp and may enforce the provisions of subsection (b) of this section
89 or any ordinance adopted by a municipality for the safe and sanitary
90 operation of a day camp by an agency of such municipality.

PH Committee Vote: Yea 22 Nay 0 JFS

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: None

Affected Agencies: Department of Public Health

Municipal Impact: None

Explanation

State Impact:

As the bill specifies no regulatory responsibilities for the Department of Public Health concerning municipal day camps, no fiscal impact is associated with its passage.

Municipal Impact:

The bill requires municipal day camps to meet or exceed standards applicable to privately operated day camps. It is assumed that any municipality that elects to operate a day camp under these standards will do so only to the extent that local resources allow.

Local health authorities in these same communities may incur a workload increase to the extent that they choose to perform inspections of the day camps and pursue other enforcement activities.

OLR Bill Analysis
sHB 5450

AN ACT CONCERNING MUNICIPAL DAY CAMPS.

SUMMARY:
This bill requires town-operated day camps to meet statutory requirements and Department of Public Health (DPH) regulations that govern private day camps. DPH licenses private camps, but current law exempts town camps from licensing, and the bill states that it does not require them to be licensed. The bill permits towns to adopt ordinances setting standards for their camps that exceed state requirements.

Statutes require camps to maintain buildings in good condition, presenting no fire or health hazards; employ competent staff, including an adult trained in first aid; ensure all hazardous activities (e.g., swimming, archery, horseback riding) are supervised by people trained in these areas; and maintain records that include parents' addresses and phone numbers. Regulations govern these areas plus food preparation and storage, swimming facilities, medical supervision and emergency preparation, and staff and camper health requirements, among other topics.

Under the bill, local or district health directors can inspect camps and enforce the applicable standards: either state law and regulation or higher local standards.

EFFECTIVE DATE: October 1, 2000

COMMITTEE ACTION

Public Health Committee

Joint Favorable Substitute
Yea 22 Nay 0