

STATE OF NEW YORK

8013

IN SENATE

January 5, 2024

Introduced by Sen. THOMAS -- read twice and ordered printed, and when printed to be committed to the Committee on Rules

AN ACT to amend the public health law and the general business law, in relation to establishing a registry for children's non-regulated camps; and to repeal certain provisions of the public health law relating thereto

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Section 1408 of the public health law, as added by a chap-
2 ter of the laws of 2023, amending the public health law relating to
3 children's non-regulated camps, as proposed in legislative bills numbers
4 S. 3285-A and A. 1256-A, is REPEALED.

5 § 2. The public health law is amended by adding a new section 1408 to
6 read as follows:

7 § 1408. Registry for children's non-regulated camps. The department
8 shall establish and maintain an electronic database containing informa-
9 tion collected pursuant to this section and section three hundred nine-
10 ty-eight-f of the general business law for the purposes of providing
11 education and outreach to children's non-regulated camps. Such database
12 shall include the location and contact information of the children's
13 non-regulated camp and how many children attended such camp in the prior
14 calendar year. For establishment and maintenance of the registry, the
15 annual fee to register shall be two hundred fifty dollars, except that
16 no fee shall be charged in the case of a children's non-regulated camp
17 operated by a person, firm, corporation or association for charitable,
18 philanthropic or religious purposes.

19 § 3. Subdivision 1 of section 398-f of the general business law, as
20 added by chapter 103 of the laws of 2019, is amended to read as follows:

21 1. (a) As used in this section, a "children's non-regulated camp"
22 shall mean property consisting of a tract of land and any tents, vehi-
23 cles, buildings or other structures that may be pertinent to its use,
24 any part of which may be occupied on a scheduled basis any time between
25 June first and September fifteenth in any year by ten or more persons
26 under sixteen years of age under general supervision for the purpose of

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 indoor or outdoor organized group activities, involving passive and
2 nonpassive recreational activities, which is not subject to the
3 provisions of article thirteen-B of the public health law and is:

4 (i) a day program operating three hours or more at least five or more
5 days in any two-week period; or

6 (ii) an overnight program operated within New York state for less than
7 seventy-two consecutive hours on more than one occasion.

8 (b) This section shall not include activities operated by (i) a public
9 school district and clubs which also occur during the traditional school
10 year; (ii) school districts, boards of cooperative educational services
11 or nonpublic schools providing instruction to satisfy, enrich, acceler-
12 ate, or improve skills in accordance with education law requirements;
13 (iii) child care programs and family shelter-based drop-off child super-
14 vision programs permitted pursuant to article forty-seven of the New
15 York city health code; (iv) activities subject to licensure or registra-
16 tion by the office of children and family services; and (v) properties
17 where children are under the supervision of family and/or family
18 friends.

19 § 4. Subdivision 2 of section 398-f of the general business law, as
20 added by chapter 103 of the laws of 2019, paragraph (a) as amended by
21 chapter 248 of the laws of 2022, is amended to read as follows:

22 2. (a) No person, firm, corporation or association shall enroll or
23 allow participation of a child in a children's non-regulated camp unless
24 such non-regulated camp has registered with the department of health, in
25 a form and manner prescribed by the department of health, on an annual
26 basis and the parent or guardian of the child has been provided with the
27 following written notice on the application or enrollment form:

28 "This camp is registered with but not regulated or inspected by the
29 New York State Department of Health and is not required to obtain a
30 Department of Health permit. This camp is not required to follow Depart-
31 ment of Health regulations, including, maintaining minimum staff-to-
32 child ratios; hiring medical personnel; or reporting injuries or
33 illnesses to the Department of Health."

34 (b) If a children's non-regulated camp maintains a website, this
35 notice must be placed on the website.

36 (c) Any notice required in this subdivision shall be prominently and
37 conspicuously posted at the camp facilities in minimum size twelve font.

38 § 5. This act shall take effect on the same date and in the same
39 manner as a chapter of the laws of 2023, amending the public health law
40 relating to children's non-regulated camps, as proposed in legislative
41 bills numbers S. 3285-A and A. 1256-A, takes effect; provided, however,
42 that sections two and four of this act shall take effect two years after
43 it shall have become a law.