

AMENDED IN SENATE JUNE 21, 2022

CALIFORNIA LEGISLATURE— 2021–2022 REGULAR SESSION

ASSEMBLY BILL

NO. 1737

Introduced by Assembly Member Holden

January 31, 2022

An act to amend Section 18897 of, and to add Division 40 (commencing with Section 60000) to, the Health and Safety Code, and to amend Section 11165.7 of the Penal Code, relating to children's camps.

LEGISLATIVE COUNSEL'S DIGEST

AB 1737, as amended, Holden. Children's camps: ~~registration and inspection.~~ *safety.* Existing law requires the State Public Health Officer to establish rules and regulations establishing minimum standards for organized camps. Existing law requires the State Fire Marshal to adopt minimum fire safety regulations for organized camps. Existing law requires local health officers to enforce building standards relating to organized camps and the other rules and regulations adopted by the State Public Health Officer. Existing law defines "organized camp," for these purposes, as a site with a program and facilities established for the primary purposes of providing an outdoor group living experience with social, spiritual, educational, or recreational objectives, for 5 days or more during one or more seasons of the year, except as specified. ~~Existing law requires the Director of Public Health to consider the Camp Standards of the American Camping Association when adopting rules and regulations pursuant to these provisions.~~

This bill ~~would include "children's camps" within the definition of organized camps and~~ *additionally* would define "children's camp" as a camp that offers daytime or overnight experiences administered by adults who provide social, cultural, educational, recreational, or artistic programming to more than 5 children between 3 and 17 years of age for 5 days or longer,

except as specified. The bill would exempt youth sports leagues and teams, and camps owned or operated by local education agencies, from the definition of a children's camp.

~~This bill would require the operator of a children's camp to annually register with the State Department of Social Services (department) at least 90 days before commencing operations. The bill would require the department to provide a registration form for a children's camp to file with the department that includes specified information, including the name and location of the camp and the name and contact information of the camp operator and camp director. The bill would authorize a camp operator of multiple camps to submit a single registration form for all of the camps they operate, as specified. The bill would authorize the department to charge a registration fee that does not exceed the reasonable costs incurred by the department to register and inspect the children's camps. The bill would require the department to make random, unannounced inspections of all children's camps during the calendar year.~~

~~This bill would require each children's camp to develop and maintain an operating plan that includes specified information, including, but not limited to, the camp's admission policy, proposed operating hours, proposed fee schedule, health and safety policies, and discipline policies. The bill would require each children's camp to develop and maintain an emergency action plan that contains procedures to address emergency situations, including, but not limited to, natural disasters, lost campers, fires, severe illnesses and injuries, and active shooters. The bill also would require the camp to submit the operating plan and emergency action plan to the department. The bill would require all camp staff to be trained in implementation of the operating plan and emergency action plan. The bill would exempt children's programs that do not provide nonpassive activities, as specified, from the inspection, operating plan, and emergency plan requirements. The bill would require each children's camp to ensure that an adult supervisor is available on the premises of the children's camp whenever campers are present.~~

~~This bill would require a camp operator or camp director to check the background and character of each prospective camp staff member or counselor, regardless of age, on an annual basis, as specified. The bill would require a camp operator, camp director, staff member, counselor 18 years of age or older, or regular volunteer of a children's camp to complete training in child abuse and neglect identification and training in child abuse and neglect reporting, as specified, and to undergo a background check pursuant to a specified provision.~~

~~This bill would require the department to submit an annual report to the State Department of Public Health that contains specified information, including, among other things, the types of camps and the number of each camp type, and the camp locations.~~

~~This bill would require the Secretary of the California Health and Human Services Agency, or their designee, to convene an advisory committee, with specified membership, to advise and consult on how to ensure safety in children's camps. The bill would require the advisory committee to the advisory committee to convene no later than March 1, 2023. The bill would require the advisory committee to develop a plan for ensuring the safety of children's camps in California, and report the plan to the Governor and specified committees of the Legislature on or before December 31, 2024. *in coordination with the Director of Social Services, to lead the*~~

development and implementation of a master plan for children’s camp safety, to serve as a blueprint for state government, local government, and the private sector to implement strategies and partnerships that promote health and safety in children’s camps across California. The bill would require the secretary and director to convene an agency workgroup for camp safety, with specified membership, to advise the secretary and director in developing and issuing the master plan, and a children’s camp safety stakeholder advisory committee to provide advice and input to the administration on the development of the master plan. The bill would require the State Department of Social Services to submit a report to the Governor and the Legislature by January 31, 2024, identifying the recommendations of the workgroup and advisory committee and outlining the master plan.

Existing law requires a mandated reporter to report whenever they, in their professional capacity or within the scope of their employment, have knowledge of or observed a child who the mandated reporter knows or reasonably suspects has been the victim of child abuse or neglect. Under existing law, failure by a mandated reporter to report an incident of known or reasonably suspected child abuse or neglect is a misdemeanor punishable by up to 6 months of confinement in a county jail, by a fine of \$1,000, or by both that imprisonment and fine. Existing law includes an administrator of a public or private day camp as a mandated reporter.

This bill would instead make a camp director, camp operator, staff member, or counselor 18 years of age or older of a children’s camp a mandated reporter. By expanding the scope of individuals classified as mandated reporters, the bill would expand the scope of a crime and impose a state-mandated local program.

~~The bill would include findings that changes proposed by this bill address a matter of statewide concern rather than a municipal affair and, therefore, apply to all cities, including charter cities.~~

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Bill Text

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1.

It is the intent of the Legislature in enacting this act that a master plan for children’s camp safety be developed to ensure that all children attending camp in California are protected from abuse and harm, and for a clear regulatory framework to be established for children’s camps in the state.

~~SECTION 1.~~ SEC. 2.

Section 18897 of the Health and Safety Code is amended to read:

18897.

(a) “Organized camp” means a site with a program and facilities established for the primary purposes of providing an outdoor group living experience with social, spiritual, educational, or recreational objectives, for five days or more during one or more seasons of the year. ~~“Organized camp” includes a children’s camp.~~

(b) “Children’s camp” means a camp that offers daytime or overnight experiences administered by adults who provide social, cultural, educational, recreational, or artistic programming to more than five children between 3 and 17 years of age for five days or longer. A children’s camp does not include a youth sports league or team, or a camp owned or operated by a local education agency.

(c) The term “organized camp” does not include a *children’s camp*, motel, tourist camp, trailer park, resort, hunting camp, auto court, labor camp, penal or correctional camp, and does not include a childcare institution or home-finding agency.

(d) The term “organized camp” also does not include any charitable or recreational organization that complies with the rules and regulations for recreational trailer parks.

~~SEC. 2. Division 40 (commencing with Section 60000) is added to the Health and Safety Code, to read:~~

~~40. Local Regulation of Children’s Camps
60000.~~

~~For purposes of this chapter:~~

~~(a) “Camp director” means a person who is responsible for day-to-day decisionmaking and supervision of children’s camp programs and staff.~~

~~(b) “Camp operator” means an individual, partnership, joint venture, or organization that owns, leases, rents, or operates a children’s camp, or an individual, partnership, or joint venture that has care, charge, or control of a children’s camp.~~

~~(c)(1) “Children’s camp” means a camp that offers daytime or overnight experiences administered by adults who provide social, cultural, educational, recreational, or artistic programming to more than five children between 3 and 17 years of age for five days or longer. A children’s camp does not include a youth sports league or team, or a camp owned or operated by a local education agency.~~

~~(2) The term “children’s camp” does not include a motel, tourist camp, trailer park, resort, hunting camp, auto court, labor camp, or penal or correctional camp, and does not include a childcare institution or home-finding agency.~~

~~(3) The term “children’s camp” also does not include any charitable or recreational organization that complies with the rules and regulations for recreational trailer parks.~~

~~(d)“CPR certification” means pediatric cardiopulmonary resuscitation certification, including automated external defibrillator certification, issued by the American Red Cross, American Heart Association, or an equivalent program approved by the Emergency Medical Services Authority under Section 1797.191. A certification shall be valid as specified by the provider.~~

~~(e)“Department” means the State Department of Social Services.~~

~~60001.~~

~~(a)The operator of a children’s camp shall annually register with the department at least 90 days before commencing operations.~~

~~(b)The department shall provide a form for an operator to submit to the department that documents all of the following information:~~

~~(1)The name and contact information of the camp operator.~~

~~(2)The name and location of the children’s camp.~~

~~(3)The name and contact information of the camp director.~~

~~(4)The dates that the children’s camp proposes to operate during the calendar year.~~

~~(5)The total number of campers expected to attend.~~

~~(6)The total number of full-time staff.~~

~~(7)The total number of counselors.~~

~~(8)Whether the children’s camp offers any of the following activities:~~

~~(A)Contact sports.~~

~~(B)Motorsports.~~

~~(C)Rock climbing.~~

~~(D)Target sports, including rifle ranges or archery.~~

~~(E)Aquatic activities, including sailing.~~

~~(F)Low- and high-level challenge courses, including ziplines.~~

~~(G)Horseback riding.~~

~~(9)Any other information deemed relevant by the department.~~

~~(c)When registering with the department, a children's camp shall submit copies of its operating plan and emergency action plan that are required pursuant to Section 60004.~~

~~(d)A camp operator of multiple children's camps may submit a single registration form for all of the camps they operate. In addition to the registration form, the camp operator shall submit all attachments and supplemental documentation necessary to provide all of the required information for each camp.~~

~~60001.5.~~

~~(a)A children's program that does not provide nonpassive activities, including the activities described in paragraph (8) of subdivision (b) of Section 60001, and similar activities shall be required to register pursuant to Section 60001, but shall not be required to comply with the requirements of Sections 60004 and 60004.5, and shall not be subject to the registration fee requirements of Section 60005.~~

~~(b)A children's camp identified in subdivision (a) is required to comply with the requirements of Section 60003.5.~~

~~60002.~~

~~A camp operator or camp director shall check the background and character of each prospective camp staff member or counselor, regardless of age, on an annual basis, through character references, background checks, and a sex offender registry information check.~~

~~60003.~~

~~Each children's camp shall ensure that an adult supervisor is available on the premises of the children's camp whenever campers are present.~~

~~60003.5.~~

~~(a)A camp operator, camp director, staff member, or counselor of a children's camp shall complete training in child abuse and neglect identification and training in child abuse and neglect reporting, pursuant to Section 18975 of the Business and Professions Code, prior to commencing work at the children's camp. The training requirement may be met by completing the online mandated reporter training provided by the Office of Child Abuse Prevention in the State Department of Social Services.~~

~~(b)A camp operator, camp director, staff member, counselor, or regular volunteer of a children's camp shall undergo a background check pursuant to Section 11105.3 of the Penal Code to identify and exclude any persons with a history of child abuse.~~

~~(c)A children's camp shall develop and implement child abuse prevention policies and procedures, including, but not limited to, both of the following:~~

~~(1) Reporting of suspected incidents of child abuse to persons or entities outside of the organization, including the reporting required pursuant to Section 11165.9 of the Penal Code.~~

~~(2) Requiring, to the greatest extent possible, the presence of at least two mandated reporters whenever administrators, employees, or volunteers are in contact with, or supervising, children.~~

~~(d) Before writing liability insurance for a children's camp in this state, an insurer may request information demonstrating compliance with this section from the children's camp as a part of the insurer's loss control program.~~

~~(e) For purposes of this section, "regular volunteer" means a volunteer with the children's camp who is 18 years of age or older and who has direct contact with, or supervision of, children for more than 16 hours per month or 32 hours per year.~~

~~60004.~~

~~(a) Each children's camp shall develop and maintain an operating plan that includes all of the following information:~~

~~(1) The purpose and philosophy of the camp.~~

~~(2) The admission policy of the camp.~~

~~(3) Proposed operating hours.~~

~~(4) Proposed fee schedule.~~

~~(5) The ages of children accepted.~~

~~(6) Procedures for dropping off and picking up campers.~~

~~(7) Discipline policies.~~

~~(8) Parent notification and visitation policies.~~

~~(9) Services offered for children with special needs.~~

~~(10) Security and emergency procedures.~~

~~(11) Health and safety policies.~~

~~(12) Offsite trip policies.~~

~~(13) Policies for the storage of personal belongings.~~

~~(14) Inelement weather policies.~~

~~(15) Special equipment policies.~~

~~(16) A site location description.~~

~~(17) Buildings and facilities descriptions and planned usage of those buildings and facilities.~~

~~(18) Environmental hazards.~~

~~(19) Equipment access, control, and maintenance.~~

~~(20) Food service provided.~~

~~(21) Transportation policies.~~

~~(22) Director and operator qualifications and training.~~

~~(23) Staff background check and skills verification procedures.~~

~~(24) Participant eligibility requirements.~~

~~(25) Staff-to-camper supervision ratios.~~

~~(26) Procedures for onsite and offsite nonrisk and high-risk activities.~~

~~(b)(1) Each children's camp shall develop and maintain an emergency action plan that contains procedures to address the following emergency situations:~~

~~(A) Natural disasters.~~

~~(B)(i) Lost campers and lost swimmers.~~

~~(ii) All campers, counselors, and staff shall review the written lost camper and lost swimmer plans that shall also be kept on file.~~

~~(C) Fires.~~

~~(i) The fire emergency action plan shall require that fire drills be held at least once per camp session.~~

~~(ii) The fire emergency action plan shall be submitted in writing and be approved by the local fire department.~~

~~(D) Transportation emergencies.~~

~~(E) Severe illnesses and injuries.~~

~~(F) Unidentified individuals on the camp premises.~~

~~(G) Aquatic emergencies, if applicable.~~

~~(H) Active shooters.~~

~~(I) Other emergency situations as appropriate for the site.~~

~~(2) The emergency action plan shall include all of the following procedures:~~

~~(A) Evacuation of the camp premises.~~

~~(B) Control of vehicular traffic through the camp.~~

~~(C) Communication from persons at the site of an emergency to emergency medical facilities, the nearest fire station, and camp staff.~~

~~(e) Camp staff shall be trained in implementation of the procedures set forth in the operating plan and emergency action plan.~~

~~(d) A children's camp shall maintain a copy of the operating plan and emergency action plan required pursuant to this section on file on the camp premises and make the plans available for inspection by any camper or their agent.~~

~~60004.5.~~

~~The department shall conduct random, unannounced inspections of all registered children's camps during the calendar year.~~

~~60005.~~

~~(a)(1) The department may charge a registration fee to a children's camp that files an annual registration pursuant to Section 60001.~~

~~(2) A registration fee charged pursuant to this section shall not exceed the reasonable costs incurred for the registration and inspection of children's camps within the jurisdiction.~~

~~(b) A children's camp that does not register, but is operating as a children's camp, shall be subject to a monetary penalty in the amount determined by the department.~~

~~60006.~~

~~The department shall submit an annual report to the State Department of Public Health that provides all of the following information regarding each children's camp registered pursuant to Section 60001:~~

~~(a) The types of camps, and number of each camp type.~~

~~(b) The number of participants in each camp.~~

~~(c) The location of each camp.~~

~~(d) The total number of campers for the calendar year.~~

~~60007.~~

~~The Legislature finds and declares that this division addresses a matter of statewide concern rather than a municipal affair as that term is used in Section 5 of Article XI of the California Constitution. Therefore, this division applies to all cities, including charter cities.~~

SEC. 3.

Division 40 (commencing with Section 60000) is added to the Health and Safety Code, to read:

DIVISION 40. Children's Camp Safety

60000.

(a) A camp operator, camp director, staff member, or counselor 18 years of age or older of a children's camp shall complete training in child abuse and neglect identification and training in child abuse and neglect reporting, pursuant to Section 18975 of the Business and Professions Code, prior to commencing work at the children's camp. The training requirement may be met by completing the online mandated reporter training provided by the Office of Child Abuse Prevention in the State Department of Social Services.

(b) A camp operator, camp director, staff member, counselor, or regular volunteer of a children's camp shall undergo a background check pursuant to Section 11105.3 of the Penal Code to identify and exclude any persons with a history of child abuse.

(c) A children's camp shall develop and implement child abuse prevention policies and procedures, including, but not limited to, both of the following:

(1) Reporting of suspected incidents of child abuse to persons or entities outside of the organization, including the reporting required pursuant to Section 11165.9 of the Penal Code.

(2) Requiring, to the greatest extent possible, the presence of at least two mandated reporters whenever administrators, employees, or volunteers are in contact with, or supervising, children.

(d) Before writing liability insurance for a children's camp in this state, an insurer may request information demonstrating compliance with this section from the children's camp as a part of the insurer's loss control program.

(e) The following definitions apply for purposes of this division:

(1) "Camp director" means a person who is responsible for day-to-day decisionmaking and supervision of children's camp programs and staff.

(2) “Camp operator” means an individual, partnership, joint venture, or organization that owns, leases, rents, or operates a children’s camp, or an individual, partnership, or joint venture that has care, charge, or control of a children’s camp.

(3) “Regular volunteer” means a volunteer with the children’s camp who is 18 years of age or older and who has direct contact with, or supervision of, children for more than 16 hours per month or 32 hours per year.

60001.

(a) (1) The Secretary of California Health and Human Services, in coordination with the Director of Social Services, shall lead the development and implementation of a master plan for children’s camp safety. The master plan shall serve as a blueprint for state government, local government, and the private sector to implement strategies and partnerships that promote health and safety in children’s camps across California.

(2) For purposes of this division, “children’s camp” means the same as defined in Section 18897.

(b) The secretary and director shall convene an agency workgroup for camp safety to advise the secretary and director in the developing and issuing the master plan.

(c) The secretary and director, with the assistance of the workgroup, shall work with the following state agencies, as needed, to identify policies, efficiencies, and strategies necessary to implement the master plan:

(1) The State Department of Social Services.

(2) The State Department of Public Health.

(3) The State Department of Health Care Services.

(4) The State Department of Education.

(5) The Department of Parks and Recreation.

(d) The workgroup shall solicit input from stakeholders and gather information on the impact of children’s camps on California’s children and families, as well as the need for health and safety-related licensure and regulation of these programs.

(e) The secretary and director shall convene a children’s camp safety stakeholder advisory committee to provide advice and input to the administration on the development of the master plan.

(f) The stakeholder advisory committee established pursuant to this section shall include representation from parents, forprofit recreational camps operated in California, nonprofit recreational camps operated in California, children’s advocates, children’s safety experts, local parks departments, local health departments, emergency medical services professionals, community-based organizations, academic researchers, and others as the secretary or their designee deems appropriate.

(g) The master plan shall focus on the development of a licensing and regulatory framework for California’s children camps, as well as increasing access to high quality children’s camp programming.

(h) (1) The State Department of Social Services shall submit a report to the Governor and the Legislature by January 31, 2024, identifying the recommendations of the workgroup and advisory committee and outlining the master plan.

(2) A report submitted under paragraph (1) shall be submitted pursuant to Section 9795 of the Government Code.

~~SEC. 3.~~ SEC. 4.

Section 11165.7 of the Penal Code is amended to read:

11165.7.

(a) As used in this article, “mandated reporter” is defined as any of the following:

- (1) A teacher.
- (2) An instructional aide.
- (3) A teacher’s aide or teacher’s assistant employed by a public or private school.
- (4) A classified employee of a public school.
- (5) An administrative officer or supervisor of child welfare and attendance, or a certificated pupil personnel employee of a public or private school.
- (6) A camp director, camp operator, staff member, or counselor 18 years of age or older of a children’s camp. For purposes of this paragraph, “children’s camp” means the same as defined in Section 18897 of the Health and Safety Code.
- (7) An administrator or employee of a public or private youth center, youth recreation program, or youth organization.
- (8) An administrator, board member, or employee of a public or private organization whose duties require direct contact and supervision of children, including a foster family agency.
- (9) An employee of a county office of education or the State Department of Education whose duties bring the employee into contact with children on a regular basis.
- (10) A licensee, an administrator, or an employee of a licensed community care or child daycare facility.
- (11) A Head Start program teacher.
- (12) A licensing worker or licensing evaluator employed by a licensing agency, as defined in Section 11165.11.
- (13) A public assistance worker.
- (14) An employee of a childcare institution, including, but not limited to, foster parents, group home personnel, and personnel of residential care facilities.
- (15) A social worker, probation officer, or parole officer.
- (16) An employee of a school district police or security department.
- (17) A person who is an administrator or presenter of, or a counselor in, a child abuse prevention program in a public or private school.
- (18) A district attorney investigator, inspector, or local child support agency caseworker, unless the investigator, inspector, or caseworker is working with an attorney appointed pursuant to Section 317 of the Welfare and Institutions Code to represent a minor.
- (19) A peace officer, as defined in Chapter 4.5 (commencing with Section 830) of Title 3 of Part 2, who is not otherwise described in this section.
- (20) A firefighter, except for volunteer firefighters.
- (21) A physician and surgeon, psychiatrist, psychologist, dentist, resident, intern, podiatrist, chiropractor, licensed nurse, dental hygienist, optometrist, marriage and family therapist, clinical social worker, professional clinical counselor, or any other person who is currently licensed under Division 2 (commencing with Section 500) of the Business and Professions Code.
- (22) An emergency medical technician I or II, paramedic, or other person certified pursuant to Division 2.5 (commencing with Section 1797) of the Health and Safety Code.

- (23) A psychological assistant registered pursuant to Section 2913 of the Business and Professions Code.
- (24) A marriage and family therapist trainee, as defined in subdivision (c) of Section 4980.03 of the Business and Professions Code.
- (25) An unlicensed associate marriage and family therapist registered under Section 4980.44 of the Business and Professions Code.
- (26) A state or county public health employee who treats a minor for venereal disease or any other condition.
- (27) A coroner.
- (28) A medical examiner or other person who performs autopsies.
- (29) A commercial film and photographic print or image processor as specified in subdivision (e) of Section 11166. As used in this article, “commercial film and photographic print or image processor” means a person who develops exposed photographic film into negatives, slides, or prints, or who makes prints from negatives or slides, or who prepares, publishes, produces, develops, duplicates, or prints any representation of information, data, or an image, including, but not limited to, any film, filmstrip, photograph, negative, slide, photocopy, videotape, video laser disc, computer hardware, computer software, computer floppy disk, data storage medium, CD-ROM, computer-generated equipment, or computer-generated image, for compensation. The term includes any employee of that person; it does not include a person who develops film or makes prints or images for a public agency.
- (30) A child visitation monitor. As used in this article, “child visitation monitor” means a person who, for financial compensation, acts as a monitor of a visit between a child and another person when the monitoring of that visit has been ordered by a court of law.
- (31) An animal control officer or humane society officer. For the purposes of this article, the following terms have the following meanings:
- (A) “Animal control officer” means a person employed by a city, county, or city and county for the purpose of enforcing animal control laws or regulations.
- (B) “Humane society officer” means a person appointed or employed by a public or private entity as a humane officer who is qualified pursuant to Section 14502 or 14503 of the Corporations Code.
- (32) A clergy member, as specified in subdivision (d) of Section 11166. As used in this article, “clergy member” means a priest, minister, rabbi, religious practitioner, or similar functionary of a church, temple, or recognized denomination or organization.
- (33) Any custodian of records of a clergy member, as specified in this section and subdivision (d) of Section 11166.
- (34) An employee of any police department, county sheriff’s department, county probation department, or county welfare department.
- (35) An employee or volunteer of a Court Appointed Special Advocate program, as defined in Rule 5.655 of the California Rules of Court.
- (36) A custodial officer, as defined in Section 831.5.
- (37) A person providing services to a minor child under Section 12300 or 12300.1 of the Welfare and Institutions Code.
- (38) An alcohol and drug counselor. As used in this article, an “alcohol and drug counselor” is a person providing counseling, therapy, or other clinical services for a state licensed or certified drug, alcohol, or drug and alcohol treatment program. However, alcohol or drug abuse, or both

alcohol and drug abuse, is not, in and of itself, a sufficient basis for reporting child abuse or neglect.

(39) A clinical counselor trainee, as defined in subdivision (g) of Section 4999.12 of the Business and Professions Code.

(40) An associate professional clinical counselor registered under Section 4999.42 of the Business and Professions Code.

(41) An employee or administrator of a public or private postsecondary educational institution, whose duties bring the administrator or employee into contact with children on a regular basis, or who supervises those whose duties bring the administrator or employee into contact with children on a regular basis, as to child abuse or neglect occurring on that institution's premises or at an official activity of, or program conducted by, the institution. Nothing in this paragraph shall be construed as altering the lawyer-client privilege as set forth in Article 3 (commencing with Section 950) of Chapter 4 of Division 8 of the Evidence Code.

(42) An athletic coach, athletic administrator, or athletic director employed by any public or private school that provides any combination of instruction for kindergarten, or grades 1 to 12, inclusive.

(43) (A) A commercial computer technician as specified in subdivision (e) of Section 11166. As used in this article, "commercial computer technician" means a person who works for a company that is in the business of repairing, installing, or otherwise servicing a computer or computer component, including, but not limited to, a computer part, device, memory storage or recording mechanism, auxiliary storage recording or memory capacity, or any other material relating to the operation and maintenance of a computer or computer network system, for a fee. An employer who provides an electronic communications service or a remote computing service to the public shall be deemed to comply with this article if that employer complies with Section 2258A of Title 18 of the United States Code.

(B) An employer of a commercial computer technician may implement internal procedures for facilitating reporting consistent with this article. These procedures may direct employees who are mandated reporters under this paragraph to report materials described in subdivision (e) of Section 11166 to an employee who is designated by the employer to receive the reports. An employee who is designated to receive reports under this subparagraph shall be a commercial computer technician for purposes of this article. A commercial computer technician who makes a report to the designated employee pursuant to this subparagraph shall be deemed to have complied with the requirements of this article and shall be subject to the protections afforded to mandated reporters, including, but not limited to, those protections afforded by Section 11172.

(44) Any athletic coach, including, but not limited to, an assistant coach or a graduate assistant involved in coaching, at public or private postsecondary educational institutions.

(45) An individual certified by a licensed foster family agency as a certified family home, as defined in Section 1506 of the Health and Safety Code.

(46) An individual approved as a resource family, as defined in Section 1517 of the Health and Safety Code and Section 16519.5 of the Welfare and Institutions Code.

(47) A qualified autism service provider, a qualified autism service professional, or a qualified autism service paraprofessional, as defined in Section 1374.73 of the Health and Safety Code and Section 10144.51 of the Insurance Code.

(48) A human resource employee of a business subject to Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code that employs minors. For purposes of this section, a "human resource employee" is the employee or employees designated by the

employer to accept any complaints of misconduct as required by Chapter 6 (commencing with Section 12940) of Part 2.8 of Division 3 of Title 2 of the Government Code.

(49) An adult person whose duties require direct contact with and supervision of minors in the performance of the minors' duties in the workplace of a business subject to Part 2.8 (commencing with Section 12900) of Division 3 of Title 2 of the Government Code is a mandated reporter of sexual abuse, as defined in Section 11165.1. Nothing in this paragraph shall be construed to modify or limit the person's duty to report known or suspected child abuse or neglect when the person is acting in some other capacity that would otherwise make the person a mandated reporter.

(b) Except as provided in paragraph (35) of subdivision (a), volunteers of public or private organizations whose duties require direct contact with and supervision of children are not mandated reporters but are encouraged to obtain training in the identification and reporting of child abuse and neglect and are further encouraged to report known or suspected instances of child abuse or neglect to an agency specified in Section 11165.9.

(c) (1) Except as provided in subdivision (d) and paragraph (2), employers are strongly encouraged to provide their employees who are mandated reporters with training in the duties imposed by this article. This training shall include training in child abuse and neglect identification and training in child abuse and neglect reporting. Whether or not employers provide their employees with training in child abuse and neglect identification and reporting, the employers shall provide their employees who are mandated reporters with the statement required pursuant to subdivision (a) of Section 11166.5.

(2) Employers subject to paragraphs (48) and (49) of subdivision (a) shall provide their employees who are mandated reporters with training in the duties imposed by this article. This training shall include training in child abuse and neglect identification and training in child abuse and neglect reporting. The training requirement may be met by completing the general online training for mandated reporters offered by the Office of Child Abuse Prevention in the State Department of Social Services.

(d) Pursuant to Section 44691 of the Education Code, school districts, county offices of education, state special schools and diagnostic centers operated by the State Department of Education, and charter schools shall annually train their employees and persons working on their behalf specified in subdivision (a) in the duties of mandated reporters under the child abuse reporting laws. The training shall include, but not necessarily be limited to, training in child abuse and neglect identification and child abuse and neglect reporting.

(e) (1) On and after January 1, 2018, pursuant to Section 1596.8662 of the Health and Safety Code, a childcare licensee applicant shall take training in the duties of mandated reporters under the child abuse reporting laws as a condition of licensure, and a childcare administrator or an employee of a licensed child daycare facility shall take training in the duties of mandated reporters during the first 90 days when that administrator or employee is employed by the facility.

(2) A person specified in paragraph (1) who becomes a licensee, administrator, or employee of a licensed child daycare facility shall take renewal mandated reporter training every two years following the date on which that person completed the initial mandated reporter training. The training shall include, but not necessarily be limited to, training in child abuse and neglect identification and child abuse and neglect reporting.

(f) Unless otherwise specifically provided, the absence of training shall not excuse a mandated reporter from the duties imposed by this article.

(g) Public and private organizations are encouraged to provide their volunteers whose duties require direct contact with and supervision of children with training in the identification and reporting of child abuse and neglect.

~~SEC. 4.~~

~~(a) The Secretary of the California Health and Human Services Agency, or their designee, shall convene an advisory committee to advise and consult on how to ensure safety in children's camps.~~

~~(b) The advisory committee shall consist of the following members:~~

~~(1) One representative of for-profit recreational camps operated in California.~~

~~(2) One representative of nonprofit recreational camps operated in California.~~

~~(3) Two representatives of children's interests who do not operate a camp.~~

~~(4) Two children's safety experts.~~

~~(5) One representative of a local parks department.~~

~~(6) One representative of local health departments.~~

~~(7) An emergency medical services professional.~~

~~(8) One representative from each of the following departments:~~

~~(A) The State Department of Social Services.~~

~~(B) The State Department of Public Health.~~

~~(C) The State Department of Education.~~

~~(9) One pediatric medical professional.~~

~~(10) Any other members the secretary or their designee deems appropriate.~~

~~(c) The advisory committee shall begin to convene no later than March 1, 2023. The advisory committee shall develop a plan for ensuring the safety of children's camps in California, and report this plan to the Governor and the Assembly Committees on Health, Human Services, and Public Safety, and the Senate Committees on Health, Human Services, and Public Safety, on or before December 31, 2024.~~

~~(d) Advisory committee members shall receive no compensation, but shall be reimbursed for reasonable travel and other expenses incurred in the performance of their official duties.~~

SEC. 5.

No reimbursement is required by this act pursuant to Section 6 of Article XIII B of the California Constitution because the only costs that may be incurred by a local agency or school district will be incurred because this act creates a new crime or infraction, eliminates a crime or infraction, or changes the penalty for a crime or infraction, within the meaning of Section 17556 of the Government Code, or changes the definition of a crime within the meaning of Section 6 of Article XIII B of the California Constitution.