



House of Representatives

General Assembly

File No. 9

February Session, 2018

Substitute House Bill No. 5186

House of Representatives, March 15, 2018

The Committee on Children reported through REP. URBAN of the 43rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING CONCUSSION EDUCATION FOR COACHES OF CERTAIN YOUTH ATHLETIC ACTIVITIES.

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

1 Section 1. Section 21a-432 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2018*):

3 (a) For purposes of this section:

4 (1) "Youth athletic activity" means an organized athletic activity
5 involving participants of not less than seven years of age and not more
6 than nineteen years of age, who (A) (i) engage in an organized athletic
7 game or competition against another team, club or entity or in practice
8 or preparation for an organized game or competition against another
9 team, club or entity, or (ii) attend an organized athletic camp or clinic
10 the purpose of which is to train, instruct or prepare such participants
11 to engage in an organized athletic game or competition, and (B) (i) pay
12 a fee to participate in such organized athletic game or competition or
13 attend such camp or clinic, or (ii) whose cost to participate in such

14 athletic game or competition or attend such camp or clinic is
15 sponsored by a municipality, business or nonprofit organization.
16 "Youth athletic activity" does not include any college or university
17 athletic activity, or an athletic activity that is incidental to a nonathletic
18 program or lesson; [and]

19 (2) "Operator" means any municipality, business or nonprofit
20 organization that conducts, coordinates, organizes or otherwise
21 oversees any youth athletic activity but shall not include any
22 municipality, business or nonprofit organization solely providing
23 access to, or use of, any field, court or other recreational area, whether
24 for compensation or not; [.] and

25 (3) "Youth coach" means any person who volunteers or is paid to act
26 as a head coach, manager or instructor, or in a similar supervisory
27 position.

28 (b) Not later than January 1, 2016, and annually thereafter, each
29 operator of a youth athletic activity shall make available a written or
30 electronic statement regarding concussions to each youth athlete and a
31 parent or legal guardian of each youth athlete participating in the
32 youth athletic activity. Such written or electronic statement shall be
33 made available upon registration of each youth athlete and shall be
34 consistent with the most recent information provided by the National
35 Centers for Disease Control and Prevention regarding concussions.
36 Such written or electronic statement shall include educational content
37 addressing, at a minimum: (1) The recognition of signs or symptoms of
38 a concussion, (2) the means of obtaining proper medical treatment for a
39 person suspected of sustaining a concussion, (3) the nature and risks of
40 concussions, including the danger of continuing to engage in youth
41 athletic activity after sustaining a concussion, and (4) the proper
42 procedures for allowing a youth athlete who has sustained a
43 concussion to return to athletic activity.

44 (c) Not later than January 1, 2019, each youth coach of a youth
45 athletic activity conducted on a field, court or other recreational area
46 owned, operated or managed by a municipality, shall take the Online

47 Concussion Course for Youth Sports Coaches available on the National
48 Centers for Disease Control and Prevention's Internet web site.

49 [(c)] (d) (1) No operator, or designee of such operator, shall be
50 subject to civil liability for failing to make available the written or
51 electronic statement regarding concussions pursuant to subsection (b)
52 of this section.

53 (2) No person, organization or entity, including, but not limited to, a
54 youth coach, municipality, business or nonprofit organization, shall be
55 subject to civil liability due to the failure of a youth coach to take the
56 Online Concussion Course for Youth Sports Coaches pursuant to
57 subsection (c) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2018	21a-432

Statement of Legislative Commissioners:

In Sec. 1(a)(1), "lesson; and" was changed to "lesson; [and]" for accuracy and in Sec. 1(a)(2), "or not." was changed to "or not; [.] and" for accuracy.

KID Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note***State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill has no fiscal impact. It requires youth coaches to take an online concussion course, but 1) it does not require any municipality to ensure that any coach takes this course, and 2) it specifies that no youth coach, nor any municipality, is civilly liable if a youth coach does not take the course.

The Out Years***State Impact:*** None***Municipal Impact:*** None

OLR Bill Analysis**sHB 5186****AN ACT CONCERNING CONCUSSION EDUCATION FOR COACHES OF CERTAIN YOUTH ATHLETIC ACTIVITIES.****SUMMARY**

This bill requires certain youth coaches, by January 1, 2019, to take the online concussion course for youth sports coaches available on the federal Centers for Disease Control and Prevention's website. (Presumably, it does not require coaches who are hired or begin volunteering after this date to take the course.) For such purposes, a "youth coach" is a person who volunteers or is paid to act as a head coach, manager, instructor, or in a similar supervisory capacity. A youth coach must take the course if the youth athletic activity he or she coaches is conducted on a field, court, or other recreational area owned, operated, or managed by a municipality.

The bill exempts any person, organization, or entity (including youth coaches, municipalities, businesses, or nonprofit organizations) from civil liability due to a youth coach's failure to take the online course. It sets no penalty for failing to take the course and does not designate an agency to enforce its requirements.

EFFECTIVE DATE: July 1, 2018

BACKGROUND***Youth Athletic Activity***

Under existing law, a "youth athletic activity" is an organized athletic activity involving participants between ages seven and 19 who:

1. either (a) engage in an organized athletic game or competition against another team, club, or entity or in practice or preparation for an organized game or competition or (b) attend

an organized athletic camp or clinic intended to train, instruct, or prepare participants to engage in organized athletic games or competitions and

2. either (a) pay a fee to participate in the game or competition or attend the camp or clinic or (b) have a municipality, business, or nonprofit organization sponsor their participation cost.

The term does not include any college or university athletic activity or an athletic activity incidental to a nonathletic program or lesson.

COMMITTEE ACTION

Committee on Children

Joint Favorable Substitute

Yea 11 Nay 2 (03/01/2018)