

28 **26-53-301**, as enacted by Laws of Utah 2011, Chapter 97



30 *Be it enacted by the Legislature of the state of Utah:*

31 Section 1. Section **26-53-102** is amended to read:

32 **26-53-102. Definitions.**

33 As used in this chapter:

- 34 (1) "Agent" means a coach, teacher, employee, representative, or volunteer.
- 35 (2) (a) "Amateur sports organization" means, except as provided in Subsection (2)(b):
 - 36 (i) a sports team;
 - 37 (ii) a public or private school;
 - 38 (iii) a public or private sports league;
 - 39 (iv) a public or private sports camp; or
 - 40 (v) any other public or private organization that organizes, [~~operates,~~] manages, or
 - 41 sponsors a sporting event for its members, enrollees, or attendees.
- 42 (b) "Amateur sports organization" does not include a professional:
 - 43 (i) team;
 - 44 (ii) league; or
 - 45 (iii) sporting event.
- 46 (3) "Child" means an individual who is under the age of 18.
- 47 (4) "Qualified health care provider" means a health care provider who:
 - 48 (a) is licensed under Title 58, Occupations and Professions; and
 - 49 (b) may evaluate and manage a concussion within the health care provider's scope of
 - 50 practice.

51 (5) (a) "Sporting event" means any of the following athletic activities ~~H~~→[~~H~~→**for secondary**

51a **school-age children**←~~H~~]←~~H~~ that is organized,

52 [~~operated,~~] managed, or sponsored by an organization:

- 53 (i) a game;
- 54 (ii) a practice;
- 55 (iii) a sports camp;
- 56 (iv) a physical education class;
- 57 (v) a competition; or
- 58 (vi) a tryout.

59 (b) "Sporting event" does not include:

60 (i) the issuance of a lift ticket or pass by a ski resort, the use of the ticket or pass, or a
61 ski or snowboarding class or school at a ski resort, unless the skiing or snowboarding is part of
62 a camp, team, or competition that is organized, managed, or sponsored by the ski resort[;];

62a ~~to~~ [or] ~~to~~

63 (ii) as applied to a government entity, merely making available a field, facility, or other
64 location owned, leased, or controlled by the government entity to an amateur sports
65 organization or a child, regardless of whether the government entity charges a fee for the

65a use ~~to~~ [;] ; or

65b (iii) free play or recess taking place during school hours. ~~to~~

66 (6) "Traumatic head injury" means an injury to the head arising from blunt trauma, an
67 acceleration force, or a deceleration force, with one of the following observed or self-reported
68 conditions attributable to the injury:

69 (a) transient confusion, disorientation, or impaired consciousness;

70 (b) dysfunction of memory;

71 (c) loss of consciousness; or

72 (d) signs of other neurological or neuropsychological dysfunction, including:

73 (i) seizures;

74 (ii) irritability;

75 (iii) lethargy;

76 (iv) vomiting;

77 (v) headache;

78 (vi) dizziness; or

79 (vii) fatigue.

80 Section 2. Section 26-53-201 is amended to read:

81 **26-53-201. Adoption and enforcement of concussion and head injury policy --**

82 **Notice of policy to parent or guardian.**

83 Each amateur sports organization shall:

84 (1) adopt and enforce a concussion and head injury policy that:

85 (a) is consistent with the requirements of Section 26-53-301; and

86 (b) describes the nature and risk of:

87 (i) a concussion or a traumatic head injury; and

88 (ii) continuing to participate in a sporting event after sustaining a concussion or a
89 traumatic head injury;