

Representative Paul Ray proposes the following substitute bill:

PROTECTION OF ATHLETES WITH HEAD INJURIES ACT

AMENDMENTS

2013 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Allen M. Christensen

LONG TITLE

General Description:

This bill modifies Title 26, Chapter 53, Protection of Athletes with Head Injuries Act, by amending definitions.

Highlighted Provisions:

This bill:

- ▶ amends definitions; and
- ▶ makes technical changes.

Money Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

26-53-102, as enacted by Laws of Utah 2011, Chapter 97

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

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



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

27 As used in this chapter:

28 (1) "Agent" means a coach, teacher, employee, representative, or volunteer.

29 (2) (a) "Amateur sports organization" means, except as provided in Subsection (2)(b):

30 (i) a sports team;

31 (ii) a public or private school;

32 (iii) a public or private sports league;

33 (iv) a public or private sports camp; or

34 (v) any other public or private organization that organizes, [~~operates;~~] manages, or
35 sponsors a sporting event for its members, enrollees, or attendees.

36 (b) "Amateur sports organization" does not include a professional:

37 (i) team;

38 (ii) league; or

39 (iii) sporting event.

40 (3) "Child" means an individual who is under the age of 18.

41 (4) "Qualified health care provider" means a health care provider who:

42 (a) is licensed under Title 58, Occupations and Professions; and

43 (b) may evaluate and manage a concussion within the health care provider's scope of
44 practice.

45 (5) (a) "Sporting event" means any of the following athletic activities that is organized,
46 [~~operated;~~] managed, or sponsored by an organization:

47 (i) a game;

48 (ii) a practice;

49 (iii) a sports camp;

50 (iv) a physical education class;

51 (v) a competition; or

52 (vi) a tryout.

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

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

57 (ii) as applied to a government entity, merely making available a field, facility, or other
58 location owned, leased, or controlled by the government entity to an amateur sports
59 organization or a child, regardless of whether the government entity charges a fee for the use;
60 or

61 (iii) free play or recess taking place during school hours.

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

- 65 (a) transient confusion, disorientation, or impaired consciousness;
- 66 (b) dysfunction of memory;
- 67 (c) loss of consciousness; or
- 68 (d) signs of other neurological or neuropsychological dysfunction, including:
 - 69 (i) seizures;
 - 70 (ii) irritability;
 - 71 (iii) lethargy;
 - 72 (iv) vomiting;
 - 73 (v) headache;
 - 74 (vi) dizziness; or
 - 75 (vii) fatigue.