

ASSEMBLY BILL 259 (LRB -1620)

An Act to amend 119.04 (1); and to create 118.293 of the statutes; relating to: concussions and other head injuries sustained in youth athletic activities.

2011

09-15.	A.	Introduced by Representatives Fields, Ripp, Hulsey, Krug, Spanbauer, Wynn, Pasch, Endsley, E. Coggs, Berceau, Staskunas, Bernier and Bernard Schaber ; cosponsored by Senators Darling, Lassa and Taylor .	
09-15.	A.	Read first time and referred to committee on Education	516
10-04.	A.	Public hearing held.	
10-12.	A.	Assembly substitute amendment 1 offered by Representatives Fields and Knudson (LRB s0203)	557
10-14.	A.	Assembly amendment 1 to Assembly substitute amendment 1 offered by Representative Fields (LRB a1617)	562
10-18.	A.	Assembly amendment 2 to Assembly substitute amendment 1 offered by Representative Knudson (LRB a1594)	566
10-18.	A.	Assembly amendment 3 to Assembly substitute amendment 1 offered by Representative Knudson (LRB a1595)	566
10-18.	A.	Assembly amendment 4 to Assembly substitute amendment 1 offered by Representative Knudson (LRB a1654)	566
10-19.	A.	Executive action taken.	
10-25.	A.	Report Assembly Amendment 1 to Assembly Substitute Amendment 1 adoption recommended by committee on Education, Ayes 11, Noes 0	601
10-25.	A.	Report Assembly Amendment 3 to Assembly Substitute Amendment 1 adoption recommended by committee on Education, Ayes 11, Noes 0	601
10-25.	A.	Report Assembly Amendment 4 to Assembly Substitute Amendment 1 adoption recommended by committee on Education, Ayes 11, Noes 0	602
10-25.	A.	Report Assembly Substitute Amendment 1 adoption recommended by committee on Education, Ayes 11, Noes 0	602
10-25.	A.	Report passage as amended recommended by committee on Education, Ayes 11, Noes 0	602
10-25.	A.	Referred to committee on Rules	602
11-03.	A.	Assembly amendment 5 to Assembly substitute amendment 1 offered by Representatives Fields and Knudson (LRB a1992)	663
11-03.	A.	Rules suspended to withdraw from committee on Rules and take up	663
11-03.	A.	Representatives Milroy, C. Taylor, Steinbrink, Mason, Bewley, Clark, Vruwink, Young, Brooks, Petryk, Knilans and Steineke added as coauthors	663
11-03.	A.	Assembly amendment 1 to Assembly substitute amendment 1 adopted	663
11-03.	A.	Assembly amendment 3 to Assembly substitute amendment 1 withdrawn and returned to author	663
11-03.	A.	Assembly amendment 4 to Assembly substitute amendment 1 withdrawn and returned to author	663
11-03.	A.	Assembly amendment 5 to Assembly substitute amendment 1 adopted	663
11-03.	A.	Assembly substitute amendment 1 adopted	663
11-03.	A.	Ordered to a third reading	663
11-03.	A.	Rules suspended	663
11-03.	A.	Read a third time and passed	663
11-03.	A.	Ordered immediately messaged	663
11-04.	S.	Received from Assembly	583
11-08.	S.	Read first time and referred to committee on Public Health, Human Services, and Revenue	585

2012

03-13.	S.	Rules suspended and taken up.	
03-13.	S.	Read a second time.	
03-13.	S.	Ordered to a third reading.	
03-13.	S.	Rules suspended.	
03-13.	S.	Read a third time and concurred in .	
03-13.	S.	Ordered immediately messaged.	
03-13.	A.	Received from Senate concurred in.	

SB + JP

2011
ENROLLED BILL

11en A B-259

ADOPTED DOCUMENTS:

Orig Engr

A SubAmdt 1

11 502032

Amendments to above (if none, write "NONE"):

AA1 — a 1617/1

AA5 — a 1992/1

Corrections - show date (if none, write "NONE"):

None

Topic

Rel

3-13-12

Date

J. Smith

Enrolling Drafter



ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 259

October 12, 2011 – Offered by Representatives FIELDS and KNUDSON.

INS. AA5-2

1 AN ACT *to amend* 119.04 (1); and *to create* 118.293 of the statutes; **relating to:**
2 concussions and other head injuries sustained in youth athletic activities.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 118.293 of the statutes is created to read:

INS. AA5-1

4 **118.293 Concussion and head injury.** (1) In this section, "youth athletic
5 activity" means an organized athletic activity in which the participants, a majority
6 of whom are under 19 years of age, are engaged in an athletic game or competition
7 against another team, club, or entity, or in practice or preparation for an organized
8 athletic game or competition against another team, club, or entity. "Youth athletic
9 activity" does not include a college or university activity or an activity that is
10 incidental to a nonathletic program.

INS. AA1-1

11 (2) In conjunction with the Wisconsin Interscholastic Athletic Association, the
12 department shall develop guidelines and other information for the purpose of

1 educating athletic coaches and pupil athletes and their parents or guardians about
2 the nature and risk of concussion and head injury in youth athletic activities.

3 (3) At the beginning of a season for a youth athletic activity, the person
4 operating the youth athletic activity shall distribute a concussion and head injury
5 information sheet to each person who will be coaching that youth athletic activity
6 and to each person who wishes to participate in that youth athletic activity. No
7 person may participate in a youth athletic activity unless the person returns the
8 information sheet signed by the person and, if he or she is under the age of 19, by his
9 or her parent or guardian.

10 (4) (a) A person who is suspected of sustaining a concussion or head injury in
11 a youth athletic activity shall be removed from the youth athletic activity
12 immediately.

INS. AA5-3

13 (b) A person who has been removed from a youth athletic activity under par.
14 (a) may not participate in a youth athletic activity until he or she is evaluated by a
15 health care provider who has been trained in the evaluation and management of
5-4 16 concussion and head injuries and receives a written clearance to participate in the
17 activity from the health care provider.

18 (5) (a) Any athletic coach, official involved in an athletic activity, or volunteer
19 who fails to remove a person from a youth athletic activity under sub. (4) (a) is
20 immune from civil liability for any injury resulting from that omission unless it
21 constitutes gross negligence or willful or wanton misconduct.

22 (b) Any volunteer who authorizes a person to participate in a youth athletic
23 activity under sub. (4) (b) is immune from civil liability for any injury resulting from
24 that act unless the act constitutes gross negligence or willful or wanton misconduct.



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa1617/1
PG:kjf:rs

ASSEMBLY AMENDMENT 1,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 259

October 14, 2011 – Offered by Representative FIELDS.

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1, line 11: substitute "consultation" for "conjunction".

3 (END)

AA1-1



State of Wisconsin
2011 - 2012 LEGISLATURE



LRBa1992/1
PG:kjf:imp

ASSEMBLY AMENDMENT 5,
TO ASSEMBLY SUBSTITUTE AMENDMENT 1,
TO 2011 ASSEMBLY BILL 259

November 3, 2011 – Offered by Representatives FIELDS and KNUDSON.

AA5-1

1 At the locations indicated, amend the substitute amendment as follows:

2 1. Page 1, line 4: delete “(1) In this section, “youth athletic” and substitute “(1)

3 In this section:

4 (a) “Credential” means a license or certificate of certification issued by this
5 state.

6 (am) “Health care provider” means a person to whom all of the following apply:

7 1. He or she holds a credential that authorizes the person to provide health
8 care.

9 2. He or she is trained and has experience in evaluating and managing
10 pediatric concussions and head injuries.

11 3. He or she is practicing within the scope of his or her credential.”

12 2. Page 1, line 5: before “activity” insert:

AA5-2

AA5-3

1 (c) "Youth athletic".

2 3. Page 2, line 10: delete lines 10 to 12 and substitute:

3 (4) (a) An athletic coach, or official involved in a youth athletic activity, or
4 health care provider shall remove a person from the youth athletic activity if the
5 coach, official, or health care provider determines that the person exhibits signs,
6 symptoms, or behavior consistent with a concussion or head injury or the coach,
7 official, or health care provider suspects the person has sustained a concussion or
8 head injury".

9 4. Page 2, line 15: delete the material beginning with "who" and ending with
10 "injuries" on line 16.

11 (END)