



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

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

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:

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.

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.

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
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.

