

Department of Legislative Services
Maryland General Assembly
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FISCAL AND POLICY NOTE
First Reader

House Bill 1106 (Delegate Hill)
Ways and Means

Youth Sports Programs - Restrictions, Registration, Personnel, and Policy
Information - Requirements

This bill places numerous restrictions on youth sports programs for youth athletes younger than age 14 or in grade 8 or lower. The bill requires annual registration and training of “youth sports program personnel,” including volunteers who participate in a youth sports program. A youth sports program must provide specified information to each parent or guardian who registers a youth athlete, and the parent or guardian must submit a signed acknowledgement of receipt of such information. **The bill takes effect July 1, 2019.**

Fiscal Summary

State Effect: The bill is not anticipated to affect State finances or operations.

Local Effect: Expenditures may increase for local governments that operate youth sports programs that do not already meet the bill’s requirements, as discussed below. **This bill may impose a mandate on a unit of local government.**

Small Business Effect: Potential meaningful.

Analysis

Bill Summary: “Season” means the time period each year in which an athletic activity related to a sport is played by youth athletes or made available for youth athletes by a youth sports program, including training sessions, practices, games, and tournaments.

Restrictions on the Length of Football Seasons

Each annual football season must be limited to the months of August through December, and a youth sports program may not offer, approve, or sponsor football or any physical activity related to football for youth athletes during the months of January through July.

Required Protective Equipment

A youth athlete must use specified equipment while participating in a youth sports program. For lacrosse, hockey, rugby, and football, a youth athlete must use proper headgear and mouth gear that is size-appropriate, regardless of gender. For gymnastics, while using apparatus, a youth athlete must use proper mouth gear.

Restrictions on Tackle Football, Cheerleading, Hockey, and Lacrosse

A youth athlete participating in tackle football may only participate in a full-contact practice for 30 minutes each practice for a maximum of (1) two hours each week during the preseason and (2) one hour and 30 minutes each week during the season.

A youth athlete who participates in cheerleading may not engage in (1) aerial stunting if the youth athlete is younger than age 12 or (2) for youth athletes younger than age 10, aerial tossing in more than one practice session per week in a season.

A youth athlete participating in hockey or lacrosse may not engage in checking.

Required Registry of Youth Sports Program Personnel

“Youth sports program personnel” means any paid or volunteer coach, official, trainer, team administrator, or staff member who participates in a youth sports program.

A youth sports program must maintain and annually update a registry of the youth sports program personnel who participate in the youth sports program. At a minimum, the registry must include for each individual:

- a valid photo identification;
- a completed criminal history records check (CHRC);
- a signed acknowledgment of receipt and understanding of the policies and protocols of the youth sports program on safety priorities to minimize risk of harm to youth athletes, including removal and return to play policies; and

- documentation of completion of annual training in (1) heat illness recognition, prevention, and treatment; (2) concussion awareness; (3) child safety; and (4) levels of contact training consistent with best practices.

Youth sports program personnel must complete or renew a registration each year before participating in any athletic event or activity. Personnel must display proof of registration with the youth sports program to gain entry into the arena of play for any athletic event, practice, or game. An individual's proof of registration must generally be displayed at all times and be available for inspection.

Required Information

A youth sports program must provide to each parent or guardian who registers a youth athlete specified health and safety information, as well as a liability disclaimer or waiver that specifies the potential for (1) brain injury during any athletic event or activity and (2) heat-related illnesses for an athletic event or activity played outdoors during the summer months. The parent or guardian of a youth athlete must sign and submit to the youth sports program an acknowledgment of receipt of the required information. Additionally, a youth sports program must provide a copy of its removal and return to play policy to all youth sports program personnel and each parent or guardian of a registered youth athlete, as well as post the policy on its website, if available.

Current Law: Statute does not specify the type of safety equipment that youth athletes must wear and generally does not limit the type and intensity of youth sports activities.

Youth sports programs are required to make available information on concussions, head injuries, and sudden cardiac arrest developed by the Maryland State Department of Education to coaches, youth athletes, and the parents or guardians of youth athletes. A coach of a youth sports program is required to review the information.

A youth athlete who is suspected of sustaining a concussion or other head injury in a practice or game must be removed from play at that time, and may not return to play until the youth athlete has obtained written clearance from a licensed health care provider trained in the evaluation and management of concussions.

Before a youth sports program may use a facility owned or operated by a local government, the local government must provide notice to the youth sports program of the requirements in current law.

Criminal History Records Check

An employee and employer in specified facilities, including child care centers, public schools, and recreation centers or programs primarily serving minors, as well as other specified individuals must apply for a national and State CHRC.

The Criminal Justice Information System Central Repository (CJIS-CR) is established by the Criminal Procedure Article, §§ 10-213 *et seq.*, within the Department of Public Safety and Correctional Services to collect, manage, and disseminate Maryland criminal history record information (CHRI) for criminal justice and noncriminal justice (*e.g.*, employment and licensing) purposes. CJIS-CR is a fingerprint-supported system for positive identification.

The CJIS-CR is authorized by law to collect a fee for providing CHRI for purposes other than criminal justice. Maryland regulation (COMAR 12.15.01.15) sets the fee at \$18. Revenue from the fee is used to provide the service. When the number of additional record check applications created by a bill is relatively small, the CHRC fee causes a bill to be revenue/cost neutral. The FBI charges a fee of \$13.25 for a national CHRC. In the case of volunteers who work with children, the elderly, or the disabled, the FBI charges an \$11.25 fee. The CJIS-CR collects the fee from the applicant and reimburses the FBI. CJIS-CR submits requests for national criminal records to the FBI electronically. In the past, the national checks took 30 to 45 days. Currently, the information is returned by the FBI in less than 2 days.

Local Expenditures: Some youth sports programs are operated by local governments, and often local school systems have agreements with youth sports programs to use their facilities. Expenditures may increase for local governments that operate such programs to comply with the bill's requirements, including establishing and maintaining a registry of youth sports program personnel and providing annual training and proof of registration. Programs may also pay for personnel to complete required CHRCs (to the extent they do not already comply). Local school systems likely have to update their use-of-facility agreements. To the extent that some jurisdictions already meet the bill's requirements, the impact on local governments may be reduced. Required information can likely be distributed with existing resources.

Small Business Effect: Some youth sports programs are small businesses. If they do not already meet the bill's requirements, small businesses that operate such programs must establish and maintain a registry of youth sports program personnel, and provide annual training and proof of registration. Programs may also pay for personnel to complete required CHRCs (to the extent they do not already comply).

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Baltimore, Carroll, Harford, Montgomery, Queen Anne's, and St. Mary's counties; cities of Salisbury and Westminster; Maryland Association of Counties; Maryland Municipal League; Town of Leonardtown; Maryland State Department of Education; Maryland Department of Health; Department of Natural Resources; Baltimore City Public Schools; Department of Legislative Services

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