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FISCAL AND POLICY NOTE
First Reader

House Bill 1345
Ways and Means

(Delegate Hill)

**Youth Sports Programs - Registrations, Personnel, and Policy Information -
Requirements**

This 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 health and safety information to each parent or guardian who registers a youth athlete, and the parent or guardian must submit a signed acknowledgement of receipt of this information. A youth athlete must be cleared to return to full academic participation before returning to play. **The bill takes effect July 1, 2020.**

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:

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) or alternative screening;
- 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: 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.

According to Maryland regulations, each local school system must assure that student athletes, parents or guardians, and school personnel receive an informational sheet describing the nature and risk of a concussion or head injury; the criteria for removal from play and return to play; the risks of not reporting injury and continuing to play; and appropriate academic accommodations for diagnosed concussion victims. Each school system must require every student athlete and at least one parent or guardian to verify in writing that they have received information on concussions and to sign a statement acknowledging receipt of the information before a student participates in an authorized interscholastic athletic activity. Each local school system must implement policies consistent with the Policies and Programs on Concussions for Public Schools and Youth Sport Programs that:

- identify and ensure appropriate academic accommodations and restrictions are made available to student athletes during the recovery phase from a concussion;
- ensure that the parent, guardian, or emergency contact person is notified in person or by telephone and in writing immediately after a student athlete sustains a suspected concussion; and
- ensure that the athletic director and school nurse are notified before the start of the next school day of a student athlete who has sustained a suspected concussion.

Any student athlete suspected of sustaining a concussion must immediately be removed from practice or play. Each school must use the graduated return-to-play protocols instituted in the Policies and Programs on Concussions for Public Schools and Youth Sport Programs. The student athlete may not return to play until the student receives written clearance after receiving an appropriate medical assessment.

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 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 regulations set 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.

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 or alternative screenings (to the extent they do not already comply). Local school systems may 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 or alternative screenings (to the extent they do not already comply).

Additional Information

Prior Introductions: HB 1106 of 2019, a similar bill, received a hearing in the House Ways and Means Committee, but no further action was taken on the bill.

Designated Cross File: None.

Information Source(s): Maryland State Department of Education; Maryland Public Secondary Schools' Athletic Association; Maryland Department of Health; Department of Legislative Services

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