

State of Arkansas
94th General Assembly
Regular Session, 2023

A Bill

SENATE BILL 421

By: Senator G. Leding
By: Representative K. Moore

For An Act To Be Entitled

AN ACT TO CREATE THE COACH SAFELY ACT; TO REQUIRE YOUTH INJURY MITIGATION AND INFORMATION COURSES FOR ATHLETICS PERSONNEL AND COACHES; AND FOR OTHER PURPOSES.

Subtitle

TO CREATE THE COACH SAFELY ACT; AND TO REQUIRE YOUTH INJURY MITIGATION AND INFORMATION COURSES FOR ATHLETICS PERSONNEL AND COACHES.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

SECTION 1. Arkansas Code Title 6, Chapter 18, Subchapter 7, is amended to add an additional section to read as follows:

6-18-720. Coach Safely Act.

(a) This section shall be known and may be cited as the "Coach Safely Act".

(b) As used in this section:

(1) "Association" means an organization that administers or conducts high-risk youth athletic activities on property that is owned, leased, managed, or maintained by the state, an agent of the state, or a political subdivision of the state;

(2) "Athletics personnel" means athletic directors and other individuals actively involved in organizing, training, or coaching athletic activities for individuals who are fourteen (14) years of age or younger;



(3)(A) “Coach” means any individual, whether paid, unpaid, volunteer, or interim, who has been approved by an association to organize, train, or supervise a youth athlete or team of youth athletes.

(B) “Coach” may include without limitation an individual selected by a youth athlete or a team of youth athletes who has not been approved by an association if the individual approved by an association is unavailable;

(4) “High-risk youth athletic activities” means any organized sport in which there is a significant possibility for a youth athlete to sustain a serious physical injury, including without limitation the sports of football, basketball, baseball, volleyball, soccer, ice or field hockey, cheerleading, and lacrosse; and

(5) “Youth athlete” means an individual who is fourteen (14) years of age or younger and participates in an organized sport.

(c) Any association that sponsors or conducts sports training or high-risk youth athletic activities for children who are fourteen (14) years of age and younger shall require all coaches and athletics personnel to complete an online or residence course approved by the Department of Health, if available at no cost, which provides information and awareness of actions and measures that may be used to decrease the likelihood that a youth athlete will sustain a serious injury while engaged or participating in a high-risk youth athletic activity.

(d) Any youth injury mitigation and information course described under subsection (c) of this section shall provide information on the following subjects without limitation:

(1) Emergency preparedness, planning, and rehearsal for traumatic injuries;

(2) Concussions and head trauma;

(3) Heat and extreme weather-related injury familiarization;

(4) Physical conditioning and training equipment usage;
and

(5) Heart defects and abnormalities leading to sudden cardiac death.

(e) Any individual required to take a youth injury mitigation and information course under this section shall complete the course within thirty

(30) days of becoming actively engaged in or serving as part of the athletics personnel or coaching staff for an association.

(f) An association that conducts a high-risk youth athletic activity or event that requires a coach or an athletics personnel member to complete a youth injury mitigation and information course under this section shall maintain a record of individual course completion for as long as that individual serves as athletic personnel or coach for the association.

(g) The youth injury mitigation and information course requirement under this section shall be an annual requirement to be completed no later than the anniversary of the date on which the individual became actively engaged in serving as athletic personnel or coach for an association.

(h) All licensed and certified athletic trainers, doctors, nurses, first responders, and healthcare professionals with acute traumatic life support training are exempt from the youth injury mitigation and information course requirement under this section.

(i) This section does not:

(1) Eliminate the involvement of athletic trainers at youth athletic events; or

(2) Impose any additional liability upon political subdivisions of this state.

(j) An athletics personnel member or coach is entitled to a defense from liability for any injury sustained by a youth athlete as a result of participation in a high-risk youth athletic activity upon establishing that the athletics personnel member or coach:

(1) Completed the injury mitigation and information course required under subsection (c) of this section; and

(2) Reasonably conformed his or her conduct to the safety techniques and methods identified in the injury mitigation and information course.

(k) Within one hundred eighty (180) days of the effective date of this section, the Department of Health shall adopt rules to implement, enforce, and administer this section.

(l) This section shall not apply to:

(1) A licensed teacher with a coaching endorsement on the licensed teacher's teaching license;

(2) A licensed teacher who completes the Arkansas Activities

Association and National Federation of State High School Associations coaching endorsement program; or

(3) A registered volunteer under the Arkansas Registered Volunteers Program Act, § 6-22-101 et seq., who completes the Arkansas Activities Association and National Federation of State High School Associations coaching endorsement program.

SECTION 2. DO NOT CODIFY. Rules.

(a) When adopting the initial rules required under this act, the Department of Health shall file the final rules with the Secretary of State for adoption under § 25-15-204(f):

(1) On or before January 1, 2024; or

(2) If approval under § 10-3-309 has not occurred by January 1, 2024, as soon as practicable after approval under § 10-3-309.

(b) The department shall file the proposed rules with the Legislative Council under § 10-3-309(c) sufficiently in advance of January 1, 2024, so that the Legislative Council may consider the rules for approval before January 1, 2024.

APPROVED: 4/11/23