

By: Martinez Fischer

H.B. No. 4223

A BILL TO BE ENTITLED

AN ACT

relating to youth injury mitigation and information training for coaches and youth athletics personnel.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 13, Occupations Code, is amended by adding Chapter 2053 to read as follows:

CHAPTER 2053. COACHES AND ATHLETICS PERSONNEL

Sec. 2053.001. SHORT TITLE. This chapter may be cited as the Coach Safely Act.

Sec. 2053.002. DEFINITIONS. In this chapter:

(1) "Association" means an organization that administers or conducts high-risk youth athletics activities on property owned, leased, managed, or maintained by this state, an agent of this state, or a state agency or political subdivision of this state.

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

(3) "Coach" means any individual, whether paid, unpaid, volunteer, or interim, who an association has approved to organize, train, or supervise a youth athlete or team of youth athletes. If an individual approved by the association is unavailable, the term may include an individual selected by a youth

1 athlete or a team of youth athletes who has not been approved by the  
2 association.

3 (4) "High-risk youth athletics activities" means any  
4 organized sport with a significant possibility for a youth athlete  
5 participating in the sport to sustain a serious physical injury,  
6 including:

- 7 (A) baseball;
- 8 (B) basketball;
- 9 (C) cheerleading;
- 10 (D) field hockey;
- 11 (E) football;
- 12 (F) ice hockey;
- 13 (G) lacrosse;
- 14 (H) soccer; and
- 15 (I) volleyball.

16 (5) "Youth athlete" means an individual younger than  
17 15 years of age that participates in an organized sport.

18 Sec. 2053.003. APPLICABILITY AND CONSTRUCTION OF CHAPTER.

19 (a) This chapter does not apply to:

- 20 (1) athletic trainers;
- 21 (2) physicians licensed to practice medicine in this  
22 state;
- 23 (3) nurses licensed to practice nursing in this state;
- 24 (4) first responders; and
- 25 (5) any other health care professionals with acute  
26 traumatic life support training.

27 (b) This chapter does not:

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

3           (2) impose any additional liability on political  
4 subdivisions of this state.

5           Sec. 2053.004. TRAINING POLICY; YOUTH INJURY MITIGATION AND  
6 INFORMATION COURSE. (a) A youth athletics association that  
7 sponsors or conducts sports training or high-risk youth athletic  
8 activities for youth athletes shall adopt a policy to require all  
9 the association's coaches and athletics personnel to complete, if  
10 available at no cost, a youth injury mitigation and information  
11 course that provides information on and awareness of actions and  
12 measures that may be used to decrease the likelihood of a youth  
13 athlete sustaining a serious injury while engaged or participating  
14 in a high-risk youth athletic activity. The course may be online or  
15 in person and must be approved by the Department of State Health  
16 Services.

17           (b) A youth injury mitigation and information course must  
18 provide information on:

19           (1) emergency preparedness, planning, and rehearsal  
20 for traumatic injuries;

21           (2) concussions and head trauma;

22           (3) heat and extreme weather-related injury  
23 familiarization;

24           (4) physical conditioning and training equipment  
25 usage; and

26           (5) heart defects and abnormalities leading to sudden  
27 cardiac arrest and death.

1       (c) A person required to complete a youth injury mitigation  
2 and information course under this section must complete the course  
3 not later than the 30th day following the date the person becomes  
4 actively engaged in or serves as a coach or member of the athletic  
5 personnel for an association.

6       (d) A person required to take a youth injury mitigation and  
7 information course under this section shall annually complete the  
8 course not later than the anniversary of the date the person became  
9 actively engaged in serving as a coach or member of the athletics  
10 personnel for an association.

11       Sec. 2053.005. RECORDS OF COURSE COMPLETION. An  
12 association that conducts a high-risk youth athletic activity or  
13 event that requires a coach or a member of the athletics personnel  
14 to complete a youth injury mitigation and information course under  
15 Section 2053.004 shall maintain a record of the individual's course  
16 completion during the period the person serves as a coach or member  
17 of the athletics personnel for that association.

18       Sec. 2053.006. IMMUNITY FROM LIABILITY. A coach or member  
19 of the athletics personnel of an association is immune from civil  
20 liability for any injury sustained by a youth athlete as a result of  
21 participation in a high-risk youth athletic activity on  
22 establishing that the coach or member:

23               (1) completed the injury mitigation and information  
24 course required under Section 2053.004; and

25               (2) reasonably conformed their conduct to the safety  
26 techniques and methods identified in the course.

27       SECTION 2. As soon as practicable after the effective date

H.B. No. 4223

1 of this Act, the executive commissioner of the Health and Human  
2 Services Commission shall adopt the rules necessary to implement  
3 Chapter 2053, Occupations Code, as added by this Act.

4 SECTION 3. This Act takes effect September 1, 2023.