

S.F. No. 0098	School athletic safety.
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Sponsored By: Senator(s) Landen, Anderson, J.D. (SD02),
Bebout and Coe and Representative(s) Greear and
Harshman

AN ACT relating to the Recreation Safety Act; modifying definitions;
clarifying that required safety protocols for concussion related
injuries are subject to immunity provisions as provided; and providing
for an effective date.

1/20/2015 Bill Number Assigned
1/20/2015 S Received for Introduction
1/21/2015 S Introduced and Referred to S04 - Education
1/26/2015 Education:Recommend Amend and Do Pass 5-0-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, J.D. (SD02), Coe, Dockstader, Pappas,
Rothfuss

Ayes 5 **Nays** 0 **Excused** 0 **Absent** 0 **Conflicts** 0

1/26/2015 S Placed on General File

SF0098SS001/ADOPTED

Page 2-line 21 Delete "any claimed" insert "the".
Page2-line 22 Delete through "or". COE, CHAIRMAN

SF0098SW001/FAILED

Page 2-lines 15 through 23 Delete, including the Senate Standing
Committee amendment (SF0098SS001/A) and insert:

"(e) Concussions and other head injuries resulting from school
athletic and cheerleading participation are an inherent risk, as
defined in W.S. 1-1-122(a)(i). There shall be no civil liability for
damages for acts or omissions taken in good faith to implement or
execute concussion related protocols required by W.S. 21-3-
110(a)(xxxii). This subsection shall apply to:

(i) Employees who reasonably follow the protocols adopted
pursuant to W.S. 21-3-110(a)(xxxii);

(ii) Government entities or private organizations
authorized to organize and administer school athletics for claims
alleging inadequacy of the protocols." LANDEN

1/26/2015 S COW Laid Back
1/27/2015 S COW Passed
1/28/2015 S 2nd Reading:Passed

SF0098S3001/ADOPTED

Page 1-line 1 After "definitions;" insert "clarifying that a
failure to implement concussion protocols shall
not increase inherent risks as provided;".

Page 1-line 3 Delete "do not expand governmental liability"
insert "are subject to immunity provisions as
provided;"

Page 2-lines 15 through 23 Delete including the Senate Standing
Committee amendment (SF0098SS001/A) to these
lines and insert:

"(e) Failure to implement, in whole or in part, concussion protocols required by W.S. 21-3-110(a)(xxxii) shall not be considered as having increased the inherent risks of any sport or recreational activity.". NICHOLAS, ROSS, LANDEN

1/29/2015 S 3rd Reading:Laid Back
1/30/2015 S 3rd Reading:Passed 21-9-0-0-0

ROLL CALL

Ayes: Senator(s) Anderson, J.D.(SD02), Anderson, J.L.(SD28), Barnard, Bebout, Christensen, Coe, Cooper, Dockstader, Driskill, Emerich, Hicks, Kinskey, Landen, Meier, Nicholas Pres, Pappas, Perkins, Peterson, Ross, Scott, Von Flatern

Nays: Senator(s) Burns, Case, Craft, Esquibel, Geis, Hastert, Johnson, Rothfuss, Wasserburger

Ayes 21 **Nays** 9 **Excused** 0 **Absent** 0 **Conflicts** 0

2/2/2015 H Received for Introduction
2/11/2015 H Introduced and Referred to H04 - Education
2/18/2015 Education:Recommend Amend and Do Pass Failed 4-4-1-0-0 in Accordance with House Rule 5-4

ROLL CALL

Ayes: Representative(s) Freeman, Hunt, Northrup, Throne

Nays: Jaggi, Paxton, Piiparinen, Sommers

Excused: Representative Patton

Ayes 8 **Nays** 0 **Excused** 1 **Absent** 0 **Conflicts** 0

2/20/2015 H Recalled from H04 - Education
2/20/2015 H COW Rerefer to H02 - Appropriations
2/27/2015 Appropriations:Recommend Amend and Do Pass 5-2-0-0-0

ROLL CALL

Ayes: Representative(s) Burkhardt, Greear, Harshman, Moniz, Stubson

Nays: Representative(s) Connolly, Nicholas, B.

Ayes 5 **Nays** 2 **Excused** 0 **Absent** 0 **Conflicts** 0

2/27/2015 H Placed on General File

SF0098HS001/ADOPTED

(TO ENGROSSED COPY)

Page 1-line 1 Delete "school athletics" insert "the recreation safety act".

Page 1-line 10 Delete "1-1-122(a)(iii) insert "1-1-122(a)(ii) and (iii)".

Page 2-After line 1 Insert:

"(ii) "Provider" means any person or governmental entity which for profit or otherwise, offers or conducts a sport or recreational opportunity or regulates an interscholastic sport or recreational opportunity. This act does not apply to a cause of action based upon the design or manufacture of sport or recreational equipment or products or safety equipment used incidental to or required by the sport or recreational opportunity;"

Page 2-line 17 After "implement" insert "or follow".
HARSHMAN, CHAIRMAN

SF0098HS002/WITHDRAWN

3/2/2015 H COW Passed

SF0098H2001/ADOPTED

(TO ENGROSSED COPY)

Page 1-line 2 Delete entirely.
Page 1-line 3 Delete the line through "provided;".
Page 1-line 10 Delete "1-1-123 by creating".
Page 1-line 11 Delete "a new subsection (e)".
Page 2-lines 15 through 20 Delete entirely including the house
standing committee amendment (SF0098HS001/AE)
to these lines.
Page 3-line 8 Delete "W.S. 1-1-123(e) and". SOMMERS, PAXTON

SF0098H2002/ADOPTED

(TO ENGROSSED COPY)

Page 2-line 6 After "cheerleading," insert "rodeo". HUNT

3/3/2015 H 2nd Reading:Passed

3/4/2015 H 3rd Reading:Passed 54-5-1-0-0

ROLL CALL

Ayes: Representative(s) Allen, Baker, Baldwin, Barlow, Berger,
Blackburn, Blake, Brown Speaker, Burkhart, Byrd, Campbell, Cannady,
Clem, Connolly, Dayton, Edmonds, Eklund, Esquibel, Freeman, Gay,
Grear, Halverson, Harshman, Harvey, Hunt, Jaggi, Jennings, Kasperik,
Kirkbride, Kroeker, Krone, Larsen Lloyd, Laursen Dan, Lindholm,
Lockhart, Loucks, Madden, McKim, Miller, Moniz, Nicholas, Northrup,
Paxton, Petroff, Pownall, Reeder, Schwartz, Sommers, Steinmetz,
Stubson, Walters, Wilson, Winters, Zwonitzer,Dv

Nays: Representative(s) Edwards, Pelkey, Piiparinen, Throne,
Zwonitzer,Dn

Excused: Representative Patton

Ayes 54 **Nays** 5 **Excused** 1 **Absent** 0 **Conflicts** 0

3/4/2015 S Received for Concurrence

3/5/2015 S Concur:Passed 24-2-4-0-0

ROLL CALL

Ayes: Senator(s) Anderson, J.L.(SD28), Barnard, Bebout, Burns,
Christensen, Cooper, Dockstader, Driskill, Emerich, Esquibel, Geis,
Hastert, Hicks, Johnson, Kinskey, Landen, Meier, Nicholas Pres, Pappas,
Perkins, Peterson, Ross, Scott, Von Flatern

Nays: Senator(s) Case, Rothfuss

Excused: Senator(s) Anderson, J.D.(SD02), Coe, Craft, Wasserburger

Ayes 24 **Nays** 2 **Excused** 4 **Absent** 0 **Conflicts** 0

3/5/2015 Assigned Number SEA No. 0085

3/5/2015 S President Signed SEA No. 0085

3/5/2015 H Speaker Signed SEA No. 0085

3/9/2015 Governor Signed SEA No. 0085

3/9/2015 Assigned Chapter Number

Chapter No. 178 Session Laws of Wyoming 2015