

SENATE FILE NO. SF0098

School athletic safety.

Sponsored by: Senator(s) Landen, Anderson, J.D. (SD02),
Bebout and Coe and Representative(s) Greear
and Harshman

A BILL

for

1 AN ACT relating to school athletics; modifying definitions;
2 clarifying that required safety protocols for concussion
3 related injuries do not expand governmental liability; and
4 providing for an effective date.

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6 *Be It Enacted by the Legislature of the State of Wyoming:*

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8 **Section 1.** W.S. 1-1-122(a)(iii), 1-1-123 by creating
9 a new subsection (e) and 21-3-110(a)(xxxii)(intro) are
10 amended to read:

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12 **1-1-122. Definitions.**

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14 (a) As used in this act:

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1 (iii) "Sport or recreational opportunity" means
2 commonly understood sporting activities including baseball,
3 softball, football, soccer, basketball, swimming, hockey,
4 wrestling, cheerleading, dude ranching, nordic or alpine
5 skiing and other alpine sports, snowboarding, mountain
6 climbing, outdoor education programs, river floating,
7 hunting, fishing, backcountry trips, horseback riding and
8 any other equine activity, snowmobiling and similar
9 recreational opportunities and includes the use of private
10 lands for vehicle parking and land access related to the
11 sport or recreational opportunity;

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13 **1-1-123. Assumption of risk.**

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15 (e) Concussions and other head injuries resulting
16 from school athletic and cheerleading participation are an
17 inherent risk, as defined in W.S. 1-1-122(a)(i). No
18 governmental entity, public employee acting within the
19 scope of duties on behalf of a governmental entity or
20 private organization or person authorized to organize and
21 administer school athletics shall be liable for any claimed
22 failure to implement or inadequacy of concussion related
23 protocols required by W.S. 21-3-110(a)(xxxii).

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2 **21-3-110. Duties of boards of trustees.**

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4 (a) The board of trustees in each school district
5 shall:

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7 (xxxii) Commencing school year 2011-2012, adopt
8 protocols to address risks associated with concussions and
9 other head injuries resulting from athletic injuries.
10 Implementation of this paragraph shall be subject to the
11 immunity provisions of W.S. 1-1-123(e) and the Wyoming
12 Governmental Claims Act. The protocols shall:

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14 **Section 2.** This act is effective July 1, 2015.

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16 (END)