

Introduced by

Senators Berry, Flakoll, Schneider

Representatives R. Kelsch, Grande, Porter

1 A BILL for an Act to create and enact a new section to chapter 15.1-18.2 and a new section to  
2 chapter 32-12.1 of the North Dakota Century Code, relating to concussion management  
3 program requirements.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1.** A new section to chapter 15.1-18.2 of the North Dakota Century Code is  
6 created and enacted as follows:

7 **Student athletics - Concussion management program - Requirements.**

- 8 1. The superintendent of public instruction shall ensure that any athletic activity that is  
9 sponsored or sanctioned by a school or school district in this state and which requires  
10 a participating student to regularly practice or train, and compete, is subject to the  
11 terms of a concussion management program.
- 12 2. The concussion management program must:
- 13 a. Define the signs and symptoms of a concussion;
- 14 b. Require that any coach, trainer, or official immediately remove a student from  
15 practice, training, or competition if that student exhibits any sign or symptom of a  
16 concussion, as defined under this subsection;
- 17 c. Require that any student who is removed in accordance with this subsection  
18 must be examined by a physician as soon as practicable after exhibiting any sign  
19 or symptom of a concussion; and
- 20 d. Provide that any student who is removed in accordance with this subsection may  
21 be allowed to return to practice, training, or competition only after a physician  
22 provides written authorization for the student's return to the student's coach or  
23 trainer.

- 1       3. The superintendent of public instruction shall ensure that before a student is allowed  
2       to participate in the athletic activity, the student and the student's parent shall  
3       document that they have viewed information, made available electronically by the  
4       student's school or school district, regarding concussions incurred by students  
5       participating in athletic activities.

6       **SECTION 2.** A new section to chapter 32-12.1 of the North Dakota Century Code is created  
7 and enacted as follows:

8       **Athletic activities - Children - Concussion management program - Requirements.**

- 9       1. If a political subdivision, other than a school district, sponsors or sanctions an athletic  
10       activity that requires a child under eighteen years of age to pay a fee in order to  
11       regularly practice or train, and compete, the political subdivision shall ensure that the  
12       athletic activity is governed by the terms of a concussion management program.
- 13       2. The concussion management program must:
- 14       a. Define the signs and symptoms of a concussion;
- 15       b. Require that any coach, trainer, or official immediately remove a child from  
16       practice, training, or competition if that child exhibits any sign or symptom of a  
17       concussion, as defined under this subsection;
- 18       c. Require that any child who is removed in accordance with this subsection must  
19       be examined by a physician as soon as practicable after exhibiting any sign or  
20       symptom of a concussion; and
- 21       d. Provide that any child who is removed in accordance with this subsection may be  
22       allowed to return to practice, training, or competition only after a physician  
23       provides written authorization for the child's return to the child's coach or trainer.
- 24       3. The political subdivision shall ensure that before a child is allowed to participate in the  
25       athletic activity, the child and the child's parent shall document that they have viewed  
26       information, made available electronically by the political subdivision, regarding  
27       concussions incurred by minors participating in athletic activities.