



House Bill 29

Education – Participants in Youth Sports Programs – Concussions – Penalties for Coaches

MACo Position: **OPPOSE**

Date: January 28, 2016

To: Ways and Means Committee

From: Leslie Knapp, Jr.

The Maryland Association of Counties (MACo) **OPPOSES** HB 29. While the bill's purpose is well-meaning, its provisions would actually limit the ability of counties to remove coaches who have violated the concussion requirements and be practically impossible to enforce for most independent youth sports programs.

Both MACo and the Maryland Association of County Park and Recreation Administrators (MACPRA) were heavily involved in the creation of the original concussion statute in 2011 (HB 858/SB 771) and ultimately supported the passage of that legislation. One of the key challenges was to craft a policy that could work in three very different environments: (1) school-run athletic programs; (2) county-run athletic programs; and (3) independent youth sports programs. MACo's concerns with HB 29 focus on county-run programs and independent youth sports programs.

MACo's first concern with HB 29 is that in most county-run athletic programs, coaches are either at-will employees or volunteers. If there is a coach that has blatantly disregarded the concussion policy, a county's first inclination will be to simply remove or fire that individual. By requiring a specific system of penalties and a right of appeal to circuit court, HB 29 actually makes it harder for counties to remove a bad coach.

MACo's second concern is that the provisions of HB 29 would be nearly impossible to enforce for independent youth sports programs. Youth sports programs range in sophistication from fully structured organizations down to several families on the same block who decided to form a league. There is no single oversight or enforcement mechanism for these programs. While these organizations may use county recreational facilities, counties do not and cannot actively monitor or police them.

HB 29 is a well-intentioned bill but its provisions inadvertently make it more difficult for county-run athletic programs to terminate bad coaches and would be challenging to monitor or enforce for independent youth sports programs. Accordingly, MACo requests the Committee give an **UNFAVORABLE** report to HB 29.