

**CITY OF BALTIMORE
COUNCIL BILL 19-0337
(First Reader)**

Introduced by: Councilmember Scott, President Young, Councilmembers Henry, Dorsey,
Costello, Bullock, Cohen, Stokes, Sneed, Pinkett, Schleifer, Clarke, Reisinger, Middleton
Introduced and read first time: February 11, 2019

Assigned to: Judiciary and Legislative Investigations Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Department of Recreation and Parks,
Health Department, Department of Social Services

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Youth Athletic Protection**

3 FOR the purpose of establishing certain protections for youth athletes using Baltimore City
4 Department of Recreations and Parks facilities; requiring that youth athletic coaches
5 complete certain training; requiring that youth athletes be removed from athletic play if they
6 are suspected to have sustained certain medical conditions; requiring that certain youth sports
7 programs have an automated external defibrillator at athletic events; requiring youth athletic
8 coaches to report to certain authorities suspected abuse and neglect; defining certain terms;
9 establishing certain penalties; and generally relating to youth athletic protection.

10 BY adding

11 Article 7 - Natural Resources
12 Section(s) 54-1 to 54-8, to be under the new subtitle,
13 "Subtitle 54. Youth Athletic Protection"
14 Baltimore City Code
15 (Edition 2000)

16 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE,** That the
17 Laws of Baltimore City read as follows:

18 **Baltimore City Code**

19 **Article 7. Natural Resources**

20 **Subtitle 54. YOUTH ATHLETIC PROTECTION**

21 **§ 54-1. DEFINITIONS.**

22 (A) *IN GENERAL.*

23 IN THIS SUBTITLE, THE FOLLOWING TERMS HAVE THE MEANINGS INDICATED.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

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1 (B) *ABUSE*.

2 “ABUSE” HAS THE MEANING STATED IN § 5-701(B) OF THE STATE FAMILY LAW ARTICLE
3 {“ABUSE”}.

4 (C) *AUTOMATED EXTERNAL DEFIBRILLATOR*.

5 “AUTOMATED EXTERNAL DEFIBRILLATOR” MEANS A MEDICAL DEVICE, APPROVED BY
6 THE UNITED STATES FOOD AND DRUG ADMINISTRATION THAT:

7 (1) IS CAPABLE OF RECOGNIZING THE PRESENCE OR ABSENCE IN AN INDIVIDUAL OF
8 VENTRICULAR FIBRILLATION AND RAPID VENTRICULAR TACHYCARDIA;

9 (2) IS CAPABLE OF DETERMINING, WITHOUT INTERVENTION, WHETHER
10 DEFIBRILLATION SHOULD BE PERFORMED ON AN INDIVIDUAL;

11 (3) ON DETERMINING THAT DEFIBRILLATION SHOULD BE PERFORMED,
12 AUTOMATICALLY CHARGES AND REQUESTS DELIVERY OF AN ELECTRICAL IMPULSE
13 TO AN INDIVIDUAL’S HEART; AND

14 (4) DELIVERS AN APPROPRIATE ELECTRICAL IMPULSE TO A PATIENT’S HEART TO
15 PERFORM DEFIBRILLATION.

16 (D) *COACH*.

17 “COACH” MEANS AN INDIVIDUAL OVER THE AGE OF 18 WHO, WHETHER PAID OR UNPAID:

18 (1) IS RESPONSIBLE FOR LEADING OR ASSISTING IN LEADING A YOUTH SPORTS
19 PROGRAM; AND

20 (2) HAS ROUTINE CONTACT WITH YOUTH ATHLETES PARTICIPATING IN A YOUTH
21 SPORTS PROGRAM.

22 (E) *CONCUSSION*.

23 “CONCUSSION” MEANS A TRAUMATIC INJURY TO THE BRAIN CAUSING AN IMMEDIATE,
24 SHORT-LIVED CHANGE IN MENTAL STATUS OR AN ALTERATION OF NORMAL
25 CONSCIOUSNESS RESULTING FROM:

26 (1) A FALL;

27 (2) A VIOLENT BLOW TO THE HEAD OR BODY; OR

28 (3) THE SHAKING OR SPINNING OF THE HEAD OR BODY.

29 (F) *DEPARTMENT*.

30 “DEPARTMENT” MEANS THE BALTIMORE CITY DEPARTMENT OF RECREATION AND PARKS.

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1 (G) *FACILITY*.

2 "FACILITY" MEANS ANY OUTDOOR OR INDOOR ATHLETIC SPACE UNDER THE MANAGEMENT
3 OF THE DEPARTMENT.

4 (H) *HEAT EXHAUSTION*.

5 "HEAT EXHAUSTION" MEANS A REACTION TO EXCESSIVE HEAT MARKED BY PROSTRATION,
6 WEAKNESS, AND COLLAPSE RESULTING FROM DEHYDRATION.

7 (I) *HEAT STROKE*.

8 "HEAT STROKE" MEANS A SEVERE ILLNESS CAUSED BY EXPOSURE TO EXCESSIVELY HIGH
9 TEMPERATURES AND CHARACTERIZED BY:

10 (1) SEVERE HEADACHE;

11 (2) HIGH FEVER WITH A DRY, HOT SKIN;

12 (3) TACHYCARDIA; AND

13 (4) IN SERIOUS CASES, COLLAPSE, COMA, OR DEATH.

14 (J) *NEGLECT*.

15 "NEGLECT" HAS THE MEANING STATED IN § 5-701(S) OF THE STATE FAMILY LAW
16 ARTICLE {"NEGLECT"}.

17 (K) *PERSON*.

18 "PERSON" MEANS:

19 (1) AN INDIVIDUAL;

20 (2) A RECEIVER, TRUSTEE, GUARDIAN, PERSONAL REPRESENTATIVE, FIDUCIARY, OR
21 REPRESENTATIVE OF ANY KIND; OR

22 (3) A PARTNERSHIP, FIRM, ASSOCIATION, CORPORATION, OR OTHER ENTITY OF ANY
23 KIND.

24 (L) *SUDDEN CARDIAC ARREST*.

25 "SUDDEN CARDIAC ARREST" MEANS A CONDITION IN WHICH THE HEART SUDDENLY AND
26 UNEXPECTEDLY STOPS BEATING.

27 (M) *YOUTH ATHLETE*.

28 "YOUTH ATHLETE" MEANS ANY INDIVIDUAL WHO PARTICIPATES IN A YOUTH SPORTS
29 PROGRAM.

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1 (N) *YOUTH SPORTS PROGRAM.*

2 “YOUTH SPORTS PROGRAM” MEANS A PROGRAM OR EVENT, INCLUDING INSTRUCTION,
3 PRACTICE, OR COMPETITION, ORGANIZED FOR YOUTH ATHLETES UNDER THE AGE OF 18
4 YEARS:

5 (1) CONDUCTED BY THE DEPARTMENT; OR

6 (2) CONDUCTED BY A RECREATIONAL ATHLETIC ORGANIZATION OR ANY OTHER
7 PERSON REQUIRED TO OBTAIN A PERMIT TO USE A DEPARTMENT FACILITY.

8 **§ 54-2. MANDATORY, PROHIBITORY, AND PERMISSIVE TERMS.**

9 (A) *MANDATORY TERMS.*

10 “MUST” AND “SHALL” ARE EACH MANDATORY TERMS USED TO EXPRESS A REQUIREMENT
11 OR TO IMPOSE A DUTY.

12 (B) *PROHIBITORY TERMS.*

13 “MAY NOT” AND “NO ... MAY” ARE EACH MANDATORY NEGATIVE TERMS USED TO
14 ESTABLISH A PROHIBITION.

15 (C) *PERMISSIVE TERMS.*

16 “MAY” IS PERMISSIVE.

17 **§ 54-3. RULES AND REGULATIONS.**

18 (A) *IN GENERAL.*

19 THE DEPARTMENT MUST ADOPT RULES AND REGULATIONS TO CARRY OUT THIS SUBTITLE.

20 (B) *FILING WITH LEGISLATIVE REFERENCE.*

21 A COPY OF ALL RULES AND REGULATIONS ADOPTED UNDER THIS SUBTITLE MUST BE FILED
22 WITH THE DEPARTMENT OF LEGISLATIVE REFERENCE BEFORE THEY TAKE EFFECT.

23 **§ 54-4. TRAINING REQUIRED.**

24 (A) *IN GENERAL.*

25 BEFORE ACTING AS A COACH FOR A YOUTH SPORTS PROGRAM, AN INDIVIDUAL MUST HAVE
26 SUCCESSFULLY COMPLETED WITHIN THE LAST 24 MONTHS TRAINING APPROVED IN
27 ADVANCE BY THE DEPARTMENT IN:

28 (1) CONCUSSION RISK AND MANAGEMENT;

29 (2) HEAT EXHAUSTION RISK AND MANAGEMENT;

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- 1 (3) HEAT STROKE RISK AND MANAGEMENT;
- 2 (4) OPERATION OF AN AUTOMATED EXTERNAL DEFIBRILLATOR;
- 3 (5) SUDDEN CARDIAC ARREST RISK AND MANAGEMENT; AND
- 4 (6) IDENTIFICATION AND REPORTING OF ABUSE AND NEGLECT.

5 (B) *PERMITS FOR FACILITY USE.*

6 THE DEPARTMENT MAY NOT ISSUE A PERMIT TO ANY YOUTH SPORTS PROGRAM FOR THE
7 USE OF ANY DEPARTMENT FACILITY UNLESS THE APPLICANT HAS SUBMITTED ADEQUATE
8 DOCUMENTATION THAT ALL COACHES ASSOCIATED WITH THE PROGRAM HAVE COMPLIED
9 WITH THIS SECTION.

10 (C) *DEPARTMENT TO MAINTAIN A LIST.*

11 IN CONSULTATION AND COLLABORATION WITH THE BALTIMORE CITY DEPARTMENT OF
12 HEALTH, THE DEPARTMENT MUST MAINTAIN A LIST OF TRAINING COURSES OR PROGRAMS
13 THAT WOULD SATISFY THE REQUIREMENTS OF THIS SECTION.

14 (D) *DEPARTMENT TRAINING PROGRAM.*

15 THE DEPARTMENT MAY COLLABORATE WITH THE BALTIMORE CITY DEPARTMENT OF
16 HEALTH TO DEVELOP ITS OWN TRAINING PROGRAM TO SATISFY THE REQUIREMENTS OF
17 THIS SECTION.

18 **§ 54-5. REMOVAL FROM PLAY.**

19 (A) *DISQUALIFYING MEDICAL CONDITION DEFINED.*

20 FOR THE PURPOSES OF THIS SECTION, “DISQUALIFYING MEDICAL CONDITION” MEANS:

- 21 (1) A CONCUSSION;
- 22 (2) HEAT EXHAUSTION;
- 23 (3) HEAT STROKE; OR
- 24 (4) SUDDEN CARDIAC ARREST.

25 (B) *IN GENERAL.*

26 A YOUTH ATHLETE WHO IS SUSPECTED OF SUSTAINING OR UNDERGOING A DISQUALIFYING
27 MEDICAL CONDITION MUST BE IMMEDIATELY REMOVED FROM PHYSICAL PARTICIPATION IN
28 ANY ATHLETIC ACTIVITY.

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1 (C) *RETURN TO PHYSICAL PARTICIPATION.*

2 A YOUTH ATHLETE WHO HAS BEEN REMOVED FROM AN ATHLETIC ACTIVITY MAY NOT
3 RETURN TO PHYSICAL PARTICIPATION UNTIL THE YOUTH ATHLETE HAS BEEN EVALUATED
4 BY A LICENSED OR CERTIFIED HEALTH-CARE PROVIDER AND RECEIVES WRITTEN
5 CLEARANCE TO RETURN TO PHYSICAL PARTICIPATION FROM THAT PROVIDER.

6 **§ 54-6. AUTOMATED EXTERNAL DEFIBRILLATORS.**

7 (A) *IN GENERAL.*

8 A YOUTH SPORTS PROGRAM MUST MAKE AVAILABLE AN AUTOMATED EXTERNAL
9 DEFIBRILLATOR DURING ANY ATHLETIC EVENT CONDUCTED BY THE PROGRAM, INCLUDING
10 INSTRUCTION, PRACTICE, OR COMPETITION.

11 (B) *CERTIFICATION.*

12 THE DEPARTMENT MAY NOT ISSUE A PERMIT TO A YOUTH SPORTS PROGRAM FOR THE USE
13 OF A DEPARTMENT FACILITY UNLESS, FOR THE DURATION OF THE TERM OF THE PERMIT,
14 THE APPLICANT CERTIFIES THAT THE YOUTH SPORTS PROGRAM WILL COMPLY WITH
15 SUBSECTION (A) OF THIS SECTION.

16 (C) *NO REQUIREMENT TO ASSIST.*

17 NOTHING IN THIS SECTION IMPOSES ANY DUTY OR OBLIGATION ON ANY PERSON TO
18 PROVIDE ASSISTANCE WITH AN AUTOMATED EXTERNAL DEFIBRILLATOR TO A VICTIM OF A
19 MEDICAL EMERGENCY.

20 **§ 54-7. CHILD ABUSE AND NEGLECT REPORTING.**

21 (A) *IN GENERAL.*

22 NOTWITHSTANDING ANY OTHER PROVISION OF LAW, A COACH WHO HAS REASON TO
23 BELIEVE THAT A YOUTH ATHLETE HAS BEEN SUBJECTED TO ABUSE OR NEGLECT MUST
24 NOTIFY THE BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES OR THE BALTIMORE
25 CITY POLICE DEPARTMENT OR BOTH.

26 (B) *MANNER OF REPORTING.*

27 (1) THE REPORT MADE UNDER SUBSECTION (A) OF THIS SECTION MUST BE MADE AS
28 FOLLOWS:

29 (I) AN ORAL REPORT THE BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES OR
30 THE BALTIMORE CITY POLICE DEPARTMENT OR BOTH, BY TELEPHONE OR
31 DIRECT COMMUNICATION, AS SOON AS POSSIBLE; AND

32 (II) A WRITTEN REPORT THE BALTIMORE CITY DEPARTMENT OF SOCIAL SERVICES
33 OR THE BALTIMORE CITY POLICE DEPARTMENT OR BOTH, WITH A COPY TO THE
34 BALTIMORE CITY STATE'S ATTORNEY, NOT LATER THAN 48 HOURS AFTER THE

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1 CONTACT OR ATTENTION THAT CAUSED THE COACH TO BELIEVE THAT THE
2 YOUTH ATHLETE HAD BEEN SUBJECTED TO ABUSE OR NEGLECT.

3 (2) AN AGENCY TO WHICH A REPORT OF SUSPECTED ABUSE OR NEGLECT IS MADE UNDER
4 PARAGRAPH (1) OF THIS SUBSECTION MUST IMMEDIATELY NOTIFY THE OTHER AGENCY.

5 (D) *FAILURE TO REPORT.*

6 (1) A PERSON MAY NOT KNOWINGLY AND WILLFULLY FAIL TO REPORT ABUSE OR NEGLECT
7 AS REQUIRED BY SUBSECTION (B) OF THIS SECTION.

8 (2) A PERSON WHO VIOLATES SUBSECTION (D)(1) OF THIS SECTION IS GUILTY OF A
9 MISDEMEANOR AND, ON CONVICTION, IS SUBJECT TO FINE OF NOT MORE THAN \$1,000
10 OR TO IMPRISONMENT FOR NOT MORE THAN 12 MONTHS OR TO BOTH FINE AND
11 IMPRISONMENT FOR EACH OFFENSE.

12 **§ 54-8. CIVIL LIABILITY OF THE DEPARTMENT AND YOUTH ATHLETIC PROGRAMS.**

13 NOTHING IN THIS SUBTITLE MAY BE CONSTRUED TO CREATE, ESTABLISH, EXPAND, REDUCE,
14 CONTRACT, OR ELIMINATE ANY CIVIL LIABILITY ON THE PART OF THE DEPARTMENT, ITS
15 EMPLOYEES, ANY YOUTH ATHLETIC PROGRAMS, OR ANY COACHES.

16 **SECTION 2. AND BE IT FURTHER ORDAINED,** That the catchlines contained in this Ordinance
17 are not law and may not be considered to have been enacted as a part of this or any prior
18 Ordinance.

19 **SECTION 3. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
20 after the date it is enacted.