

Intro. Res. No. 1928-2009

Laid on Table 11/17/2009

Introduced by Legislators Beedenbender, Browning, Losquadro, Eddington, Alden, Lindsay, Vilorio-Fisher, Kennedy, Nowick, Horsley, Gregory, Stern, D'Amaro and Cooper

RESOLUTION NO. 1174 -2009, ADOPTING LOCAL LAW NO. 44 -2009, A LOCAL LAW TO IMPROVE THE SAFETY OF YOUTH SPORTS PROGRAMS IN SUFFOLK COUNTY AND INCREASE AWARENESS OF THE DANGERS OF HEAD INJURIES

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on November 17, 2009, a proposed local law entitled, "**A LOCAL LAW TO IMPROVE THE SAFETY OF YOUTH SPORTS PROGRAMS IN SUFFOLK COUNTY AND INCREASE AWARENESS OF THE DANGERS OF HEAD INJURIES**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. 44 -2009, SUFFOLK COUNTY, NEW YORK

A LOCAL LAW TO IMPROVE THE SAFETY OF YOUTH SPORTS PROGRAMS IN SUFFOLK COUNTY AND INCREASE AWARENESS OF THE DANGERS OF HEAD INJURIES

BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF SUFFOLK, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that children and young adults often play on one or more organized sports teams in order to stay physically fit, build confidence and learn leadership and teamwork skills.

This Legislature also finds and determines that, recently, concussions have become a growing concern among parents and coaches of youth sports.

This Legislature further finds and determines that during the 2007-08 school year, high school athletes alone reported approximately 137,000 concussions and it is believed that thousands more went unreported or undiagnosed.

This Legislature finds that a concussion occurs when there is a bump, blow or jolt to the head or body which causes the brain to move rapidly inside the skull, and range in seriousness from mild to severe.

This Legislature determines that an athlete who has suffered a concussion may not exhibit symptoms of the injury for minutes or hours after the incident and does not always lose consciousness.

This Legislature also finds that once a concussion has been sustained by a young athlete, they are at an increased risk for sustaining additional concussions while their body heals from the initial injury. Such additional injuries may trigger second impact syndrome, a rare but serious condition that causes permanent brain damage or death.

This Legislature further finds that athletes of any age who suffer a concussion, but especially young athletes, should seek the care of a medical doctor and should not be allowed to return to play until they have been cleared by the doctor.

This Legislature also determines that young athletes take longer to recover from concussions, leading the 2008 International Conference on Concussion in Sport to recommend that athletes under the age of 18 who suffer a concussion refrain from engaging in sports until a doctor declares them completely symptom free.

This Legislature further determines that Suffolk County wants to ensure that the parents of children involved in sports programs receive necessary information about concussion as a means to improve the safety of youth sports and increase awareness about the dangers of concussion.

Therefore, the purpose of this law is to require County-contracted youth sports agencies to provide parents with information on youth sports and concussion and prevent children suspected of suffering from concussion to resume play until they are medically cleared.

Section 2. Definitions.

As used in this law, the following term shall have the meaning indicated:

“YOUTH SPORTS AGENCY” shall mean an organization which organizes and operates community youth sports leagues or teams.

Section 3. Contract Requirements.

- A) Prior to the award of a county contract, grant or funding to a youth sports agency, the youth sports agency shall develop a written plan or policy to address incidents of possible or actual concussion or other head injury among participants in the agency's program. The youth sports agency shall provide a copy of their written plan or policy to the administering department or agency at the time they make an application to the County for a grant or funding.
- B) All County contracts with youth sports agencies shall contain a provision setting forth the requirement that the youth sports agency must develop and maintain a written plan or policy to address incidents of possible or actual concussion or other head injury among program participants.

Section 4. Applicability.

This law shall apply to all contracts entered into on or after the effective date of this law.

Section 5. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision,

section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 6. SEQRA Determination.

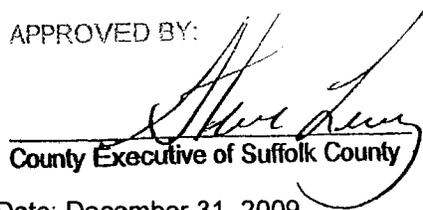
This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 7. Effective Date.

This law shall take effect immediately upon its filing in the Office of the Secretary of State.

DATED: December 15, 2009

APPROVED BY:


County Executive of Suffolk County

Date: December 31, 2009

After a public hearing duly held on December 29, 2009
Filed with the Secretary of State on January 20, 2010

SUFFOLK COUNTY
County Legislature
RIVERHEAD, NY



This is to Certify That I, TIM LAUBE, Clerk of the
of the County of Suffolk, have compared the foregoing copy of resolution with the
original resolution now on file in this office, and which was duly adopted by the
County Legislature of said County, on December 15, 2009, and signed by the
County Executive on December 31, 2009, after a public hearing duly held on
December 29, 2009 and filed with the Secretary of State on January 20, 2010
and that the same is a true and correct transcript of said resolution and of the whole
thereof.

In Witness Whereof, I have hereunto set my hand and the official
Seal of the County Legislature of the County of Suffolk on

Tim Laube

Clerk of the County Legislature