

To the Alabama House of Representatives  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen

I respectfully transmit to you a message from the Governor returning House Bill 9 without the Governor's signature and with a suggested Executive Amendment.

Done this the 20th day of March, 2018.

Respectfully submitted,

Bryan M. Taylor  
General Counsel

MESSAGE FROM THE GOVERNOR

To the Alabama House of Representatives  
Alabama State House  
Montgomery, Alabama 36130

Ladies and Gentlemen:

I received House Bill 9 and believe that the bill should be amended to make technical changes, to provide for the bill's implementation, and to provide a defense from liability under certain circumstances to coaches and athletic personnel from injuries sustained by a youth athlete as a result of participation in a high risk youth athletic activity.

EXECUTIVE AMENDMENT TO HOUSE BILL 9:

Please amend House Bill 9 on page 2, lines 13-14, by deleting "state or political subdivision of a state affiliated".

Please amend House Bill 9 on page 2, lines 18, by adding "approved by the Department of Public Health, if available at no cost," after the word "course".

Please amend House Bill 9 on page 2, lines 23-25, and page 3, lines 1-6, by deleting subsection 3(b), and renumbering the remaining subsections accordingly.

Please amend House Bill 9 on page 3, line 19, by deleting "health" and replacing it with "death".

Please amend House Bill 9 on page 3, by deleting lines 20-23.

Please amend House Bill 9 on page 4, lines 4-5, by deleting "state or political subdivision of a state affiliated".

Please amend House Bill 9 on page 4, lines 23-25, by restoring subsection (j) and redesignating it as subsection (i) to provide as follows: "(i) This act shall not be construed to impose any additional liability upon political subdivisions of this state".

Please amend House Bill 9 on page 5 by deleting lines 1-9 and inserting in lieu thereof new subsections (j) and (k) as follows:

"(j) Athletics personnel and coaches shall be entitled to a defense from liability for any injury sustained by a youth athlete as a result of participation in a high risk youth athletic activity upon establishing (1) that they completed the injury mitigation and information course described in Section 3(a) and (2) that they reasonably conformed their conduct to the safety techniques and methods identified in such injury mitigation and information course."

"(k) The Department of Public Health shall within 180 days of enactment of this Act adopt rules, not inconsistent with this Act, for purposes of implementing, enforcing, and administering this Act".

Please amend House Bill 9 on page 5, by replacing lines 11-12, in their entirety, with "effective date of rules adopted by the Department of Public Health under subsection 3(k) of this Act".

The adoption of the above suggested Executive Amendment will remove my objections to this bill.

Done this the 20th day of March, 2018.

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Respectfully,

Kay Ivey  
Governor