

House Bill 1104 (COMMITTEE SUBSTITUTE)

By: Representatives Crawford of the 84<sup>th</sup>, Hugley of the 141<sup>st</sup>, McClain of the 109<sup>th</sup>, Douglas of the 78<sup>th</sup>, Cox of the 28<sup>th</sup>, and others

A BILL TO BE ENTITLED  
AN ACT

1 To amend Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the  
2 "Quality Basic Education Act," so as to address mental health risks for student athletes; to  
3 provide for guidelines and other relevant materials to inform and educate public school and  
4 participating private school student athletes, their parents or guardians, school personnel, and  
5 coaches about mental health risks for student athletes and raising awareness of mental health  
6 resources available to student athletes; to provide for definitions; to require annual review  
7 by coaches; to provide for limited liability; to encourage additional implementation; to  
8 provide for related matters; to repeal conflicting laws; and for other purposes.

9 BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

10 **SECTION 1.**

11 Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, the "Quality  
12 Basic Education Act," is amended in Part 15, relating to miscellaneous provisions, by adding  
13 a new Code section to read as follows:

14 "20-2-324.7.

15 (a) As used in this Code section, the term:

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16 (1) 'Athletic association' means any association of schools or any other similar  
17 organization which acts as an organizing, sanctioning, scheduling, or rule-making body  
18 for interscholastic athletic activities in which public schools and participating private  
19 schools in this state participate.

20 (2) 'Healthcare provider' means a licensed physician, another licensed individual under  
21 the supervision of a licensed physician, licensed psychiatrist, licensed psychologist,  
22 licensed clinical social worker, licensed professional counselor, clinical nurse specialist  
23 in psychiatric/mental health, or other licensed mental or behavioral health clinician or  
24 specialist who has received training on screening school-age children for mental health  
25 risks.

26 (3) 'Interscholastic athletic activity' means interscholastic athletics and practices and  
27 scrimmages related to interscholastic athletics.

28 (4) 'Participating private school' means a private school in this state whose students or  
29 teams compete against students or teams from a public school or local school system in  
30 this state.

31 (5) 'Student athlete' means a public school or participating private school student in  
32 grades six through 12 participating in or desiring to participate in an interscholastic  
33 athletic activity.

34 (b) Each athletic association shall, in consultation with the Department of Behavioral  
35 Health and Developmental Disabilities, develop and post on its public website guidelines  
36 and other relevant materials, including, but not limited to, approved videos or links thereto,  
37 to inform and educate student athletes, their parents or guardians, school personnel, and  
38 coaches about mental health risks for student athletes and raising awareness of mental  
39 health resources available to student athletes. In developing such guidelines and materials,  
40 an athletic association may utilize educational videos available at no cost to the state for  
41 the purpose of educating school personnel and coaches.

42 (c) Each public school and participating private school which includes one or more grades  
43 from grades six through 12 shall provide information to each student athlete's parent or  
44 guardian at least once each school year regarding mental health risks for student athletes  
45 and to raise awareness of mental health resources available to student athletes.

46 (d)(1) Once each school year, each coach of an interscholastic athletic activity shall  
47 review the guidelines and other relevant materials, including, but not limited to, videos,  
48 approved by each athletic association of which the coach's school is a member pursuant  
49 to subsection (b) of this Code section.

50 (2) A coach shall not be eligible to coach an interscholastic athletic activity until he or  
51 she completes the requirements contained in this subsection.

52 (e) This Code section shall not create any liability for, or create a cause of action against,  
53 a local board of education or other governing body of a public school or participating  
54 private school or the officers, employees, or volunteers of any such entities for any act or  
55 omission related to the removal or nonremoval of a student athlete participating in an  
56 interscholastic athletic activity in conjunction with an actual or perceived risk to the mental  
57 health of such student athlete or another student athlete; provided, however, that this  
58 subsection shall not include healthcare providers unless they are acting in a volunteer  
59 capacity.

60 (f) The sponsors of youth athletic activities, as defined in subsection (a) of Code Section  
61 20-2-324.1, are encouraged to implement the provisions of this Code section."

62 **SECTION 2.**

63 All laws and parts of laws in conflict with this Act are repealed.