



2021 SENATE BILL 95

February 11, 2021 - Introduced by Senators DARLING, L. TAYLOR and COWLES, cosponsored by Representatives ALLEN, MURSAU, KERKMAN, GUNDRUM, SPIROS, KNODL, WITKE, ROZAR, SUBECK, WICHGERS, LOUDENBECK and NEYLON. Referred to Committee on Education.

1 **AN ACT** *to amend* 119.04 (1); and *to create* 118.2935 of the statutes; **relating**
2 **to:** information about sudden cardiac arrest during youth athletic activities.

Analysis by the Legislative Reference Bureau

This bill requires the Department of Public Instruction, in consultation with the Wisconsin Interscholastic Athletic Association, to develop information, including an information sheet that may be distributed to participants, about the nature and risk of sudden cardiac arrest in youth athletic activities. The bill specifically requires that the information developed by DPI include information about 1) the risks associated with continuing to participate in a youth athletic activity after experiencing a sudden cardiac arrest symptom; 2) the potential risks and benefits of, and evidentiary basis for, electrocardiogram testing; and 3) requesting an electrocardiogram from a pupil's health care provider. Under the bill, a youth athletic activity is defined as an organized athletic activity in which the participants, a majority of whom are under 19 years of age, are engaged in an athletic game or competition against another team, club, or entity, or in practice or preparation for an organized athletic game or competition against another team, club, or entity. This is the definition in current law that applies to requirements for providing information related to the nature and risk of concussion and head injuries in youth athletic activities.

Under the bill, at the beginning of a youth athletic activity season, an operator of the youth athletic activity must distribute a sudden cardiac arrest information sheet to each person who wishes to participate in the activity. The bill prohibits a person from participating in a youth athletic activity until the person returns the

SENATE BILL 95

information sheet signed by the person and, if the person is 18 years old or younger, the person's parent or guardian. However, the bill specifies that the sudden cardiac arrest information sheet must be submitted to a private or public school only once each school year and to a private club only once in the 365-day period before participating in the athletic activity rather than prior to participation in each athletic activity during the respective time period.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 118.2935 of the statutes is created to read:

2 **118.2935 Sudden cardiac arrest; youth athletic activities.** (1) In this
3 section, "youth athletic activity" has the meaning given in s. 118.293 (1) (c).

4 (2) In consultation with the Wisconsin Interscholastic Athletic Association, the
5 department shall develop information, including an information sheet that may be
6 distributed under sub. (3), for the purpose of educating athletic coaches and pupil
7 athletes and their parents or guardians about the nature and risk of sudden cardiac
8 arrest during youth athletic activities. The department shall include in the
9 information developed under this subsection at least all of the following:

10 (a) Information about the risks associated with continuing to participate in a
11 youth athletic activity after experiencing one or more symptoms of sudden cardiac
12 arrest, including fainting, difficulty breathing, chest pains, dizziness, and abnormal
13 racing heart rate.

14 (b) Information about electrocardiogram testing, including the potential risks,
15 benefits, and evidentiary basis behind electrocardiogram testing.

16 (c) Information about how to request, from a pupil's health care provider, the
17 administration of an electrocardiogram, in addition to a comprehensive physical
18 examination required to participate in a youth athletic activity, at a cost to be
19 incurred by the pupil's parent or guardian.

SENATE BILL 95

1 **(3)** (a) At the beginning of a season for a youth athletic activity, the person
2 operating the youth athletic activity shall distribute a sudden cardiac arrest
3 information sheet to each person who will be coaching that youth athletic activity
4 and to each person who wishes to participate in that youth athletic activity. No
5 person may participate in a youth athletic activity unless the person returns the
6 information sheet signed by the person and, if he or she is under the age of 19, by his
7 or her parent or guardian.

8 (b) 1. Notwithstanding par. (a), the exception provided under s. 118.293 (3) (b)
9 1. applies to the requirement for a private or public school to distribute a sudden
10 cardiac arrest information sheet and the exception provided under s. 118.293 (3) (b)
11 2. applies to the requirement for a private club to distribute a sudden cardiac arrest
12 information sheet.

13 **(4)** This section does not create any liability for, or a cause of action against,
14 any person.

15 **SECTION 2.** 119.04 (1) of the statutes is amended to read:

16 119.04 **(1)** Subchapters IV, V and VII of ch. 115, ch. 121 and ss. 66.0235 (3) (c),
17 66.0603 (1m) to (3), 115.01 (1) and (2), 115.28, 115.31, 115.33, 115.34, 115.343,
18 115.345, 115.363, 115.364, 115.365 (3), 115.366, 115.367, 115.38 (2), 115.415, 115.445,
19 118.001 to 118.04, 118.045, 118.06, 118.07, 118.075, 118.076, 118.10, 118.12, 118.125
20 to 118.14, 118.145 (4), 118.15, 118.153, 118.16, 118.162, 118.163, 118.164, 118.18,
21 118.19, 118.196, 118.20, 118.223, 118.225, 118.24 (1), (2) (c) to (f), (6), (8), and (10),
22 118.245, 118.25, 118.255, 118.258, 118.291, 118.292, 118.293, 118.2935, 118.30 to
23 118.43, 118.46, 118.50, 118.51, 118.52, 118.53, 118.55, 118.56, 120.12 (2m), (4m), (5),
24 and (15) to (27), 120.125, 120.13 (1), (2) (b) to (g), (3), (14), (17) to (19), (26), (34), (35),
25 (37), (37m), and (38), 120.137, 120.14, 120.20, 120.21 (3), and 120.25 are applicable

SENATE BILL 95**SECTION 2**

1 to a 1st class city school district and board but not, unless explicitly provided in this
2 chapter or in the terms of a contract, to the commissioner or to any school transferred
3 to an opportunity schools and partnership program.

4 **SECTION 3. Initial applicability.**

5 (1) The treatment of s. 118.2935 (3) first applies to a youth athletic activity
6 season that begins on the first day of the 4th month after the effective date of this
7 subsection.

8 (END)