

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2017

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SENATE BILL 302

Short Title: Concussion Protocol/County Rec. (Public)

Sponsors: Senators D. Davis, Hise, Brock (Primary Sponsors); Krawiec and Smith-Ingram.

Referred to: Rules and Operations of the Senate

March 20, 2017

1 A BILL TO BE ENTITLED
2 AN ACT TO PROVIDE THAT A COUNTY OR MUNICIPAL RECREATION PROGRAM
3 TAKE PRECAUTIONS TO ENSURE THE SAFETY AND WELL-BEING OF
4 ACTIVITY PARTICIPANTS, INCLUDING PROVIDING CONCUSSION AWARENESS
5 INFORMATION AND A RESPONSE PROTOCOL FOR CERTAIN ATHLETIC
6 ACTIVITIES.

7 The General Assembly of North Carolina enacts:

8 **SECTION 1.** G.S. 160A-353 reads as rewritten:

9 **"§ 160A-353. Powers.**

10 In addition to any other powers it may possess to provide for the general welfare of its
11 citizens, each county and city in this State shall have authority ~~to do all of the following:~~

- 12 (1) Establish and conduct a system of supervised ~~recreation;~~recreation.
13 (2) Set apart lands and buildings for parks, playgrounds, recreational centers,
14 and other recreational programs and ~~facilities;~~facilities.
15 (3) Acquire real property, either within or without the corporate limits of the
16 city or the boundaries of the county, including water and air rights, for parks
17 and recreation programs and facilities by gift, grant, purchase, lease, exercise
18 of the power of eminent domain, or any other lawful method.
19 (4) Provide, acquire, construct, equip, operate, and maintain parks, playgrounds,
20 recreation centers, and recreation facilities, including all buildings,
21 structures, and equipment necessary or useful in connection
22 ~~therewith;~~therewith.

23 (4a) Require precautions to ensure the safety and well-being of activity
24 participants in county and municipal recreation programs, including, if the
25 activity is a sport in which the participants necessarily come into bodily
26 contact with one another, that those participants are provided with
27 concussion awareness information and a response protocol in the event of a
28 suspected concussion. The concussion awareness information and response
29 protocol shall be consistent with the rules adopted by the State Board of
30 Education for interscholastic athletic activities under G.S. 115C-12(23).

31 No program director, employee, or volunteer of a county or municipal
32 recreation program shall be liable in civil damages to any party for any act
33 authorized by this subdivision, or for any omission relating to that act, unless
34 that act or omission amounts to gross negligence, wanton conduct, or
35 intentional wrongdoing.

- 36 (5) Appropriate funds to carry out the provisions of this ~~Article;~~Article.



- 1 (6) Accept any gift, grant, lease, loan, or devise of real or personal property for
2 parks and recreation programs. Devises and gifts may be accepted and held
3 subject to such terms and conditions as may be imposed by the grantor or
4 trustor, except that no county or city may accept or administer any terms that
5 require it to discriminate among its citizens on the basis of race, sex, or
6 religion."
7 **SECTION 2.** This act becomes effective October 1, 2017.