

AMENDED IN SENATE MAY 11, 2010
AMENDED IN SENATE APRIL 7, 2010
AMENDED IN SENATE JANUARY 4, 2010
AMENDED IN SENATE AUGUST 17, 2009
AMENDED IN SENATE JULY 14, 2009
AMENDED IN ASSEMBLY MAY 14, 2009
AMENDED IN ASSEMBLY MAY 6, 2009
AMENDED IN ASSEMBLY APRIL 27, 2009

CALIFORNIA LEGISLATURE—2009–10 REGULAR SESSION

ASSEMBLY BILL

No. 7

Introduced by Assembly Member Huffman
(Principal coauthor: Senator Romero)
(Coauthors: Senators Alquist and Leno)

December 1, 2008

An act to add and repeal Section 35179.4 of the Education Code, relating to interscholastic athletics.

LEGISLATIVE COUNSEL'S DIGEST

AB 7, as amended, Huffman. Interscholastic athletics: High School Baseball Safety Act of 2010.

Existing law gives the governing board of a school district general control of, and responsibility for, all aspects of interscholastic athletic policies, programs, and activities in its district, and requires the governing board to ensure that all interscholastic policies, programs, and activities in its district are in compliance with state and federal law.

Existing law prohibits participants in high school interscholastic football from wearing football helmets that are not certified for use by the National Operating Committee on Standards for Athletic Equipment or another recognized certifying agency in the field.

This bill would enact the High School Baseball Safety Act of 2010. The bill would express findings and declarations of the Legislature regarding the safety implications of the use of nonwooden bats in high school baseball. The bill, until ~~July 1, 2014~~ *January 1, 2012*, would prohibit the use of a ~~nonwood~~ *nonwooden* baseball bat at a private or public high school competitive baseball game or practice or during a physical education class or activity conducted at a private or public high school.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. This act shall be known, and may be cited, as
- 2 ~~“the~~ *the* High School Baseball Safety Act of 2010.
- 3 SEC. 2. The Legislature finds and declares all of the following:
- 4 (a) On March 11, 2010, 16-year-old Gunnar Sandberg, a pitcher
- 5 for Marin Catholic High School in Marin County, was struck in
- 6 the head by a line-drive hit from a metal bat, and suffered severe
- 7 head injuries that required emergency brain surgery.
- 8 (b) The recent tragedy involving Gunnar Sandberg is not an
- 9 isolated incident. In recent years, there have been numerous
- 10 incidents of serious injury and even death involving baseball
- 11 pitchers who were struck in the head by balls hit with metal bats.
- 12 (c) Historically, and continuing to the present day at the
- 13 professional level, baseball has been played with wooden bats.
- 14 Beginning in approximately the 1970s, aluminum bats began to
- 15 appear as a popular alternative to ~~wood~~ *wooden* bats, and in recent
- 16 years nonwooden bats have become commonplace at these levels
- 17 of competition. Advances in baseball bat design, including the
- 18 materials and technology used, have resulted in bats that far
- 19 outperform traditional ~~wood~~ *wooden* bats.
- 20 (d) There is substantial evidence that baseballs struck with these
- 21 advanced nonwooden bats travel at faster velocities, leaving
- 22 pitchers less time to respond to balls that are hit at them and
- 23 increasing the likelihood of serious injury. In 2009, the ~~NCAA~~

1 *National Collegiate Athletic Association (NCAA)* enacted a
2 moratorium on the use of composite barreled bats until 2011.
3 According to the ~~National Collegiate Athletic Association (NCAA)~~
4 *NCAA*, this moratorium is necessary to protect the integrity of the
5 game and to enhance the safety of the ~~studentathletes~~ *student*
6 *athletes*.

7 (e) In California and throughout the country, there are growing
8 concerns that these advanced nonwooden bats present an
9 unacceptable safety risk to pitchers. These concerns are especially
10 acute at the high school level. Many members of the baseball
11 community, as well as independent experts, have called for a ban
12 on nonwooden bats. Some also suggest that protective headgear
13 for pitchers should be required.

14 (f) In response to the Sandberg tragedy, the Marin County
15 Athletic League voted on March 25, 2010, to suspend the use of
16 nonwooden bats for the rest of the 2010 baseball season, and called
17 on other high school athletic officials to do the same.

18 (g) A statewide moratorium on the use of nonwooden bats in
19 high school baseball for ~~three years~~ *one year* is an appropriate
20 precautionary measure. The sport of baseball will not be harmed
21 or compromised by the use of traditional ~~wood~~ *wooden* bats during
22 this period. It is the intent of the Legislature that, during this
23 ~~three-year~~ *one-year* moratorium, sports officials and members of
24 the baseball community should actively consider and evaluate
25 strategies to ensure player safety, including, but not limited to, the
26 materials and performance standards for baseball bats and the
27 possibility of protective headgear.

28 (h) The Legislature notes that nonwooden bats are prohibited
29 at the major and minor league levels, and baseball is a game of
30 traditions, which suggests that consideration should be given to
31 whether the use of nonwooden bats is consistent with the traditions
32 and highest standards of the game.

33 SEC. 3. Section 35179.4 is added to the Education Code, to
34 read:

35 35179.4. (a) A ~~nonwood~~ *nonwooden* baseball bat shall not be
36 used at a private or public high school competitive baseball game
37 or practice or during a physical education class or activity
38 conducted at a private or public high school.

39 ~~(b) This section shall become inoperative on July 1, 2014, and,~~
40 ~~as of January 1, 2015, is repealed, unless a later enacted statute,~~

- 1 ~~that becomes operative on or before January 1, 2015, deletes or~~
2 ~~extends the dates on which it becomes inoperative and is repealed.~~
3 *(b) This section shall remain in effect only until January 1, 2012,*
4 *and as of that date is repealed, unless a later enacted statute, that*
5 *is enacted before January 1, 2012, deletes or extends that date.*