

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Committee Substitute**

**for**

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**for**

**Senate Bill 657**

BY SENATORS GRADY, TARR, OLIVERIO, DEEDS,

BARNHART, PHILLIPS, AND WOELFEL

[Reported February 26, 2026, from the Committee on  
Finance]



1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new article,  
2 designated §18-36-1, §18-36-2, §18-36-3, §18-36-4, and §18-36-5, relating to  
3 establishing the Cohen Craddock Student Athlete Safety Act; providing legislative  
4 findings; defining terms; requiring the State Board of Education to promulgate a legislative  
5 rule, in consultation with the West Virginia Board of Physical Therapy, that governs  
6 concussion protocol, education, and training to reduce concussions and the development  
7 of a concussion education and response plan; allowing the West Virginia Board of Physical  
8 Therapy to provide a draft rule; requiring a school to adopt a concussion education and  
9 response plan in accordance with the rule; allowing individual student athletes  
10 participating in a school-organized football practice to use supplemental safety enhancing  
11 devices; allowing individual schools to require their student athletes participating in a  
12 school organized football practice to use supplemental safety enhancing devices; allowing  
13 county school districts to require student athletes at schools under their jurisdiction and  
14 participating in a school-organized football practice to use supplemental safety enhancing  
15 devices; preventing any person or entity from prohibiting a student from using  
16 supplemental safety enhancing devices while participating in a school-organized football  
17 practice; providing use of certain safety equipment may violate the manufacturer's  
18 warranty on other equipment; establishing the Cohen Craddock Memorial Grant Program  
19 and providing procedures; and creating the Cohen Craddock Memorial Grant Fund.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 36. COHEN CRADDOCK STUDENT ATHLETE SAFETY ACT.**

**§18-36-1. Short title; findings.**

1 (a) This article shall be known, and may be cited as, the Cohen Craddock Student Athlete  
2 Safety Act.

3 (b) The Legislature hereby finds that:

4 (1) Student athletes face varying risks of injury, including concussions, heat-related  
5 illnesses, and cardiac events, which warrant the continual evaluation of safety protocols and  
6 equipment standards;

7 (2) Repeated head collisions, even with protective helmets, can cause trauma and  
8 concussions that have long-term cognitive and neurological effects, making it essential that  
9 reasonable safety measures are utilized;

10 (3) The evolution and availability of sport-specific safety equipment is ever-changing and  
11 should be consistently monitored;

12 (4) Professional sports leagues and collegiate sports teams have increasingly utilized  
13 modern safety equipment to enhance the safety of their athletes; and

14 (5) The state should consult with medical experts and athletic leaders to help ensure that  
15 student athletes across West Virginia have knowledge of and access to modern and necessary  
16 safety equipment for athletic activities.

**§18-36-2. Definitions.**

1 As used in this article, the following terms shall have the meanings ascribed unless the  
2 context clearly indicates a different meaning:

3 (1) "Concussion education and response plan" or "the plan" means a written document  
4 that establishes concussion-related education requirements for appropriate personnel and sets  
5 forth practices for reducing concussions and responding to concussions when they do occur.

6 (2) "Department" means the West Virginia Department of Education;

7 (3) "Fund" means the Cohen Craddock Memorial Grant Fund;

8 (4) "Grant program" means the Cohen Craddock Memorial Grant Program;

9 (5) "School" means any elementary or secondary school under the jurisdiction of a county  
10 board of education;

11 (6) "State board" means the West Virginia Board of Education;

12 (7) "Student athletes" means all students participating in any interscholastic sport at a high  
13 school or middle school in West Virginia; and

14 (8) "Youth sports league team" means any team that is a member of an entity that  
15 organizes and establishes rules for competitive youth sports activities other than the West Virginia  
16 Secondary School Activities Commission or any other entity that organizes and establishes rules  
17 for competitive youth sports activities exclusively for teams that are created by and represent  
18 schools.

**§18-36-3. State board rule that governs concussion protocol, education, and training to**  
**reduce concussions and the development of a concussion education and response**  
**plan.**

1 (a) The state board shall promulgate a legislative rule pursuant to §29A-3B-1 et seq., in  
2 consultation with the West Virginia Board of Physical Therapy, that governs concussion protocol,  
3 education, and training to reduce concussions and the development of a concussion education  
4 and response plan. The West Virginia Board of Physical Therapy may provide a draft rule for the  
5 state board to consider. The rule shall be applicable to athletic practices or events in which an  
6 individual or team represents a school, youth sports league teams that play or practice on school  
7 grounds, and practices and events under the regulation of the West Virginia Secondary School  
8 Activities Commission. The initial rule shall comply with §18-2-25a, relating to management of  
9 concussions and head injuries in activities regulated by the West Virginia Secondary School  
10 Activities Commission, but the state board or West Virginia Board of Physical Therapy may  
11 recommend to the Legislature that the code section be amended or repealed if either determines  
12 it has a better method of educating appropriate personnel or reducing or responding to  
13 concussions. The rule also shall specify the individuals required to receive the concussion-related  
14 education.

15 (b) A school shall adopt a concussion education and response plan in accordance with  
16 the state board rules promulgated pursuant to this section.

**§18-36-4. Use of supplemental safety enhancing devices.**

1           (a) Effective July 1, 2026:

2           (1) Individual student athletes in West Virginia participating in a school organized football  
3 practice may utilize supplemental safety enhancing devices including but not limited to an impact  
4 reducing soft-shell helmet cover while wearing a football helmet: *Provided*, That neither the  
5 school, school district, nor state is responsible for providing any supplemental safety enhancing  
6 devices including, but not limited to, a soft-shell helmet cover if utilized pursuant to this  
7 subdivision;

8           (2) Individual schools in West Virginia may require their student athletes participating in a  
9 school organized football practice to utilize supplemental safety enhancing devices including, but  
10 not limited to, an impact reducing soft-shell helmet cover while wearing a football helmet:  
11 *Provided*, That the school provides any supplemental safety enhancing device including, but not  
12 limited to, any soft-shell helmet cover necessary to comply with this requirement to its student  
13 athletes; and

14           (3) County school districts in West Virginia may require student athletes at schools under  
15 their jurisdiction and participating in a school organized football practice to utilize supplemental  
16 safety enhancing devices including, but not limited to, an impact reducing soft-shell helmet cover  
17 while wearing a football helmet: *Provided*, That the county school district provides any  
18 supplemental safety enhancing device including, but not limited to, any soft-shell helmet cover  
19 necessary to comply with this requirement to the student athletes enrolled in its school district.

20           (b) No person or entity, including the state board, the West Virginia Secondary School  
21 Activities Commission, any county board, any school, or any other person or entity may prohibit  
22 a student from utilizing supplemental safety enhancing devices, including, but not limited to, an  
23 impact reducing soft-shell helmet cover while wearing a football helmet while participating in a  
24 school organized football practice.

25 (c) Nothing in the article authorizes or prohibits a helmet manufacturer from establishing,  
26 modifying, or enforcing the terms of any warranty or safety guidance relating to the use of its  
27 helmet.

**§18-36-5. Cohen Craddock Memorial Grant Program; fund established.**

1 (a) The Cohen Craddock Memorial Grant Program is hereby established. The grant  
2 program shall be administered by the department. The department shall provide application forms  
3 and procedures to administer the grant.

4 (b) Schools or county boards of education may apply to the grant program for funding to  
5 cover all or some of the costs associated with procuring safety equipment that may reduce  
6 concussions. Grants may also be utilized to replace damaged safety equipment when the  
7 manufacturer of the damaged safety equipment fails to honor a warranty due to the use of  
8 supplementary safety equipment, such as a soft-shell helmet cover: *Provided,* That the  
9 department shall maintain a minimum availability of \$5,000 in the fund to replace such equipment.

10 (c) The department shall set the amount of grants based on the funds available. Grants  
11 shall be issued on first-come-first-serve basis.

12 (d) There shall be created in the State Treasury a special revenue fund designated the  
13 Cohen Craddock Memorial Grant Fund.

14 (1) The fund shall be administered by the department. Expenditures from the fund shall  
15 be made solely for the purposes of providing grants authorized by this section.

16 (2) The fund shall consist of moneys appropriated by the Legislature, moneys received  
17 from the federal government, and moneys received from private donations, grants, bequests, and  
18 all other moneys received from all sources for the purposes stated herein. Any person or entity  
19 donating moneys to the fund may restrict expenditures of the donated moneys to the purchase of  
20 a particular piece of football safety equipment. The Department of Education, political  
21 subdivisions, and any private entity may engage in fundraising efforts to solicit donations to the  
22 fund.

23           (3) Any funds remaining in the fund at the end of the fiscal year shall not revert to the  
24 general revenue but shall remain in the fund solely for the purposes stated in this article.

25           (4) The moneys accrued in the fund, any earnings thereon, and any yields from  
26 investments by the State Treasurer or West Virginia Investment Management Board are reserved  
27 solely and exclusively for the purposes set forth in this code section.