

# **WEST VIRGINIA LEGISLATURE**

## **2026 REGULAR SESSION**

**Introduced**

### **Senate Bill 657**

**FISCAL  
NOTE**

By Senator Grady

[Introduced January 29, 2026; referred

to the Committee on Education; and then to 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, §18-36-5, and §18-36-6, relating to  
3 establishing the Cohen Craddock Student Athlete Safety Act; providing legislative findings;  
4 defining terms; requiring the Board of Education to promulgate a legislative rule, in  
5 consultation with the Board of Physical Therapy, that governs concussion protocol,  
6 education, and training to prevent concussions and the development of a Concussion  
7 Education Prevention 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,  
9 Prevention, and Response Plan in accordance with the rule; requiring use of certain safety  
10 equipment during high school and middle school football practices; providing warranty and  
11 certification protections related to the usage of certain safety equipment; establishing the  
12 Cohen Craddock Memorial Grant Program and providing procedures; and creating the  
13 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;

14       (5) The National Football League recorded the fewest number of concussions during the

15 2024 season, which the NFL's Chief Medical Officer attributed in part to the mandatory use of

16 impact reducing soft-shell helmet covers during training camp and regular-season practices; and

17       (6) The state should consult with medical experts and athletic leaders to help ensure that

18 student athletes across West Virginia have knowledge of and access to modern and necessary

19 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, Prevention, and Response Plan" or "the plan" means a written

4 document that establishes concussion-related education requirements for appropriate personnel

5 and sets forth practices for preventing concussions and responding to concussions when they do

6 occur.

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

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

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

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

11 board of education; and

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

13       (7) "Student Athletes" means all students participating in any interscholastic sport at a high

14 school or middle school in West Virginia; and

15       (8) "Youth sports league team" means any team that is a member of an entity that

16 organizes and establishes rules for competitive youth sports activities other than the West Virginia

17 Secondary School Activities Commission or any other entity that organizes and establishes rules  
18 for competitive youth sports activities exclusively for teams that are created by and represent  
19 schools.

**§18-36-3. Student Athlete Safety Advisory Committee.**

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 prevent concussions and the development of a Concussion Education,  
4 Prevention, and Response Plan. The West Virginia Board of Physical Therapy may provide a draft  
5 rule for the state board to consider. The rule shall be applicable to athletic practices or events in  
6 which an individual or team represents a school, youth sports league teams that play or practice  
7 on school grounds, and practices and events under the regulation of the West Virginia Secondary  
8 School Activities Commission. The initial rule shall comply with §18-2-25a, relating to  
9 management of concussions and head injuries in activities regulated by the West Virginia  
10 Secondary School Activities Commission, but the state board or West Virginia Board of Physical  
11 Therapy may recommend to the Legislature that the code section be amended or repealed if either  
12 determines it has a better method of educating appropriate personnel or preventing or responding  
13 to concussions. The rule also shall specify the individuals required to receive the concussion-  
14 related education.

15 (b) A school shall adopt a Concussion Education, Prevention, and Response plan in  
16 accordance with the state board rules promulgated pursuant to this section.

**§18-36-4. Required use of football helmet covers.**

17 Effective July 1, 2026, student athletes in West Virginia participating in a school organized  
18 football practice shall utilize an impact reducing soft-shell helmet cover while wearing a football  
19 helmet. The impact reducing soft-shell helmet cover shall be attached to a student athlete's  
20 football helmet at all times when participating in any activity with a likelihood of collision or during  
21 any practice activity which the student athlete would regularly be expected to utilize a football

22 helmet.

**§18-36-5. Warranty and certification protections.**

1       (a) The use of an impact reducing soft-shell helmet cover with a football helmet shall not  
2 void or limit any expressed or implied warranty that may otherwise apply to the football helmet:  
3 Provided, That the impact reducing soft-shell helmet cover attaches to the football helmet in a  
4 manner that does not modify the components of or otherwise damage the football helmet;  
5 Provided, however, That one or more helmet manufacturer has certified that the impact reducing  
6 soft-shell helmet cover is acceptable for use.

7       (b) A football helmet manufacturer, dealer, or any other entity that assigns safety  
8 certifications to football helmets may not revoke a safety certification or guarantee associated with  
9 a football helmet due to the use of an impact reducing soft-shell helmet cover: Provided, That the  
10 impact reducing soft-shell helmet cover attaches to the football helmet in a manner that does not  
11 modify the components of or otherwise damage the football helmet: Provided, however, That one  
12 or more helmet manufacturer has certified that the impact reducing soft-shell helmet cover is  
13 acceptable for use.

**§18-36-6. 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  
3 forms 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 covered by this article.

6       (c) The Department shall set the amount of grants based on the funds available. Grants  
7 shall be issued on first-come-first-serve basis.

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

10       (1) The Fund shall be administered by the Department. Expenditures from the Fund shall

11 be made solely for the purposes of providing grants authorized by this section.

12       (2) The Fund shall consist of moneys appropriated by the Legislature, moneys received  
13 from the federal government, and moneys received from private donations, grants, bequests, and  
14 all other moneys received from all sources for the purposes stated herein. The Department of  
15 Education, political subdivisions, and any private entity may engage in fundraising efforts to solicit  
16 donations to the Fund.

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

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

NOTE: The purpose of this bill is to establish the Cohen Craddock Student Athlete Safety Act which requires the use of certain equipment during school organized football participation.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.