

# California set to take up youth tackle football ban amid safety concerns

By Eric He

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Football may be the most popular sport in the United States, but questions regarding the safety of the sport — especially around concussions and brain injuries — have been constant, with the NFL [admitting in 2016](#) that there is a link between football and degenerative brain disorders like chronic traumatic encephalopathy, or CTE. In the years since, lawmakers in California — as well as [at least five other states](#) — have tried unsuccessfully to impose an age restriction on youth tackle football. This year in the Golden State, the assemblymember behind a [failed 2018 attempt](#) is trying once again, amid opposition from youth football organizations such as Pop Warner. Participation in tackle football amongst youth [has dwindled](#) in recent years, and in California, high school football participation dropped by around 13 percent in 2022 compared to a decade earlier, [according to the Washington Post](#).

Assemblymember [Kevin McCarty](#) (D-Sacramento) turned [AB 734](#), which would ban children under the age of 12 from participating in a tackle football league, into a two-year bill after not getting enough support in last year's cycle. The bill did not come up for a vote last year in the Assembly Arts, Entertainment, Sports, and Tourism Committee, meaning it must pass the Assembly before the end of the month to stay alive.

McCarty told POLITICO that the legislation has sparked a “tough conversation” and that everyone wants freedom rights, but “every once in a while, government steps in” to protect youth safety.

“California has stepped up numerous times to protect youth safety,” McCarty said. “I think this is one of those issues that research year after year is coming in that draws a distinction showing this is not a safe activity for young kids.”

## WHAT'S IN THE BILL?

*This Pro Bill Analysis is based on the [text of the bill](#) as introduced on Feb. 13, 2023.*

The bill would add a section to the [California Health and Safety Code](#) prohibiting youth sports organizations with a tackle football program or league from allowing a person under 12 years old to participate in tackle football (Sec. 1).

## WHO ARE THE POWER PLAYERS?

Assemblymember [Kevin McCarty](#) (D-Sacramento) has been attempting to regulate youth football since 2018, when he introduced a similar bill that never received a hearing. He's also had help from **Chris Nowinski**, co-founder and CEO of the Concussion Legacy Foundation and a prominent figure in identifying the link between football and concussions and bringing CTE into the national conversation.

Nowinski has backed efforts in states around the country to place an age restriction on youth tackle football.

“If it wasn't for Chris Nowinski pushing this, we wouldn't have any of these bills,” said Steve Famiano, founding member of the [California Youth Football Alliance](#), an opposition group that was launched in response to McCarty's 2018 bill.

Nowinski told POLITICO in an interview that restricting participation in tackle football is a “fair role for government to protect children” — adding that the science connecting brain injuries to football is even clearer now, five years after the initial bill.

“It depends on how you ask the question,” Nowinski said. “If it is: ‘Should parents allow their children to play tackle football?’ You might say yes. If the question is: ‘Should a parent be allowed to give their child a brain disease?’ The answer is no.”

Meanwhile, Famiano said that if the bill becomes law, it would open up the possibility of regulating other sports where head trauma is a concern. He credits the coalition, which he said is “all volunteer, grassroots work,” for shutting down McCarty’s numerous efforts to regulate youth tackle football. [Hundreds of high schools](#) across the state are [opposed to the bill](#).

In an [opposition letter](#) to Assemblymember [Mike Gipson](#) (D-Carson), chair of the Assembly Arts, Entertainment, Sports and Tourism Committee, Famiano wrote that five years after the first attempt to pass the measure was unsuccessful, “there have been no new revelations in relation to kids playing youth football, thus no new basis for attempting to ban it again.”

One Republican lawmaker, [Juan Alanis](#) (R-Modesto), [wrote on social media](#) that he was “mind blown” the legislation was being considered again, calling it “insane, reckless and typical Sacramento.”

The bill would also need to clear Gov. [Gavin Newsom](#)'s desk if it passes, which is far from guaranteed, considering the governor vetoed a [study bill](#) in 2022.

## WHAT’S HAPPENED SO FAR?

McCarty’s 2018 bill, [AB 2108](#), did not receive a vote in the same committee where it is now slated for a hearing on Jan. 10. Former Assemblymember Kansen Chu, then the chair of the Assembly Committee on Arts, Entertainment, Sports, Tourism and Internet Media, was receptive [to the concerns](#) from the rest of the California Youth Football Alliance, according to Famiano.

Famiano said that Chu met with McCarty at the time and suggested turning the bill into a pared-back measure that would establish safety guidelines for youth tackle football organizations, but McCarty refused and pulled the bill altogether.

That proposal — which was pushed by the California Youth Football Alliance — ultimately became [AB 1](#) in 2019 and passed with the backing of former Assemblymember Jim Cooper. AB 1, also known as the California Youth Football Act, limited tackle football teams to two full-contact practices per week and required coaches to receive a tackling and blocking certification.

At an Oct. 3 [informational hearing](#) on youth tackle football, Nowinski, head of the Concussion Legacy Foundation, criticized AB 1 for [doing little to address](#) CTE.

McCarty said that after the hearing, Assemblymember [Sharon Quirk-Silva](#) (D-Fullerton), the former chair of the Assembly Arts, Entertainment, Sports and Tourism Committee, told him that it’s clear “the research and facts are on your side.” She had previously held the bill, which did not come up for a hearing last year.

In 2022, McCarty [tried a separate bill](#) that would have established a commission to study the risks of CTE in youth football and recommend the minimum age for participation in youth tackle football. Although the measure passed the Legislature with no opposition, it was vetoed by Newsom, who said in [his veto message](#) that there needed to be more time to assess the safety measures implemented by AB 1, which took effect in 2021.

“I am deeply committed to the health and safety of California’s children,” Newsom wrote. “Youth sports, such as youth tackle football, are an important part of our children’s physical and mental health.”

Across the country in New York, Assemblymember [Michael Benedetto](#) (D-Bronx) [introduced legislation](#) last year — for the 10th time — trying to place an age limit on youth tackle football participation. Other unsuccessful efforts around the country since 2018 include proposals in [Illinois](#), [Massachusetts](#), [New Jersey](#) and [Maryland](#).

## WHAT’S NEXT?

AB 734, introduced last year by McCarty, was held after Quirk-Silva did not bring it up for a hearing as chair of the Assembly Arts, Entertainment, Sports and Tourism Committee.

It is now scheduled for its first hearing in that committee on Jan. 10, with Gipson taking over as chair this year. A spokesperson for Gipson said this week that the bill will be heard but added that Gipson is still meeting with stakeholders on both sides and has not yet formulated a stance. If it clears the committee, the bill would head to the full Assembly for a vote — but it faces a steep uphill battle before becoming law and making California the first state to impose an age restriction on tackle football.

“I’m hopeful the bill will pass and will get to the Assembly floor and move the debate forward,” McCarty said — adding that he expects to hear “favorable comments” at next week’s hearing.

Nowinski said that he expected opponents of the bill to be much more vocal than supporters because parents who are concerned about the safety of youth tackle football are already removing their kids from the sport and might not show up to advocate. He also acknowledged that the bill “may not succeed” if it gets to a vote in the full Assembly. Additionally, Newsom may echo concerns from his veto of McCarty’s 2022 legislation — and Famiano expressed confidence that the governor would veto AB 734 if it lands on his desk.

Still, Nowinski hopes that the bill will present an educational opportunity for parents to learn about the risks of letting their children play tackle football.

“I think eventually a bill like this has to pass, because football does not have the ability to make this change by itself,” Nowinski said. “And each year we have 5-year-olds getting hit hundreds of times, it gets harder and harder to accept.”

### **WHAT ARE SOME STORIES ON THE BILL?**

[Read POLITICO news on AB 734.](#)