



CONGRESSIONAL BUDGET OFFICE COST ESTIMATE

May 31, 2016

S. 2508 **Youth Sports Concussion Act**

*As ordered reported by the Senate Committee on Commerce, Science, and Transportation
on April 27, 2016*

Under current law, the Federal Trade Commission (FTC) has the authority to issue rules regarding unfair or deceptive acts or practices affecting commerce. S. 2508 would prohibit importers and sellers of athletic items or equipment from making deceptive claims about the safety benefits of an item. The bill would direct the FTC to write regulations to carry out and enforce this prohibition and would grant states the ability to bring civil actions against entities that violate the requirements of the bill.

On the basis of information from the FTC, CBO estimates that any increased costs to implement S. 2508 (which would be subject to appropriation) would not be significant because the agency is already taking action to enforce such a prohibition under its existing general authorities. Enacting S. 2508 would not affect direct spending or revenues; therefore, pay-as-you-go procedures do not apply.

CBO estimates that enacting S. 2508 would not increase net direct spending or on-budget deficits in any of the four consecutive 10-year periods beginning in 2027.

S. 2508 contains no intergovernmental or private-sector mandates as defined in the Unfunded Mandates Reform Act (UMRA). The bill would grant state attorneys general the ability to bring civil actions on behalf of the residents of a state in cases where there is reason to believe that an entity has violated the requirements of the bill. In such cases, the attorney general would have to notify the FTC of such suit and, with some exceptions, include a copy of the complaint before initiating the civil action. Consumer protection officers in states could initiate similar actions. Because such suits would be initiated by state attorneys general and other state officials under the new provisions included in the bill, the requirements for notifying and filing with the FTC would not be intergovernmental mandates as defined in UMRA. States would take such actions at their own volition.

The CBO staff contact for this estimate is Stephen Rabent (for federal costs) and Leo Lex (for state impacts). The estimate was approved by H. Samuel Papenfuss, Deputy Assistant Director for Budget Analysis.