

STATE OF OKLAHOMA

2nd Session of the 43rd Legislature (1992)

COMMITTEE SUBSTITUTE
FOR ENGROSSED
SENATE BILL NO. 1003

BY: EASLEY and HORNER of the
SENATE

and

COX of the HOUSE

COMMITTEE SUBSTITUTE AN ACT RELATING TO AMUSEMENTS AND SPORTS AND SCHOOLS; DEFINING TERMS; PROVIDING THE ACT SHALL APPLY TO CERTAIN SPORTS ORGANIZATIONS; EXCLUDING CERTAIN SCHOOL-AFFILIATED ATHLETIC COMPETITIONS; ESTABLISHING APPLICATION OF THE ACT TO CERTAIN SPORTS ORGANIZATIONS OR COMPETITIONS; REQUIRING AMATEUR SPORTS ORGANIZATIONS TO FOLLOW CERTAIN ELIGIBILITY STANDARDS; REQUIRING AMATEUR SPORTS ORGANIZATION MEMBERSHIP TO BE OPEN TO ALL INDIVIDUALS AND GROUPS; PROVIDING THAT AN AMATEUR SPORTS ORGANIZATION WILL PROVIDE AN EQUAL OPPORTUNITY TO ALL WITHOUT DISCRIMINATION; PROHIBITING RESTRICTIVE AMATEUR STATUS ELIGIBILITY CRITERIA; DIRECTING SUPPORT AND ENCOURAGEMENT TO WOMEN PARTICIPATING IN CERTAIN ATHLETIC COMPETITION; DIRECTING SUPPORT AND EXPANSION OF ATHLETIC ACTIVITIES AND PROGRAMS FOR HANDICAPPED INDIVIDUALS; REQUIRING ASSISTANCE TO MINORITIES TO PARTICIPATE IN CERTAIN ATHLETIC ACTIVITIES; PROHIBITING DISCRIMINATION OF PLAYERS AND TEAMS; PROVIDING PENALTIES; PROHIBITING DISCRIMINATION AGAINST OFFICIALS AND REFEREES BY SCHOOLS; REQUIRING SELECTION OF OFFICIALS AND REFEREES TO BE ROTATED TO PROVIDE EQUAL OPPORTUNITY; PROVIDING FOR CODIFICATION; AND DECLARING AN EMERGENCY.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 301 of Title 3A, unless there is created a duplication in numbering, reads as follows:

A. As used in this act:

1. "Amateur athlete" means any athlete who meets the eligibility standards established by the national governing body for the sport in which the athlete competes;

2. "Amateur athletic competition" means a contest, game, meet, match, tournament, regatta, or other event in which amateur athletes compete;

3. "Amateur sports organization" means a not-for-profit corporation, club, federation, union, association, or other group organized in the United States or the State of Oklahoma which sponsors or arranges any amateur athletic competition;

4. "Corporation" means the United States Olympic Corporation;

5. "National governing body" means an amateur sports organization which is recognized by the Corporation in accordance with Section 391 of the Amateur Sports Act of 1978, 36 U.S.C., Section 371 et seq.; and

6. "Sanction" means a certificate of approval issued by a national governing body.

B. The provision of this act shall apply to those amateur sports organizations that have been or are currently seeking recognition, sanction, associate membership, affiliate membership or full membership of the national governing body for the sport in which the athletes or teams compete.

C. All public or private schools affiliated with the Oklahoma Secondary Schools Activities Association (OSSAA) which sponsors or conducts amateur athletes or athletic competition shall not be

considered an amateur sports organization under the provisions of this act, provided however such schools shall comply with the OSSAA guidelines concerning discriminatory practices against amateur athletes.

D. All public and private organizations or religious-based organizations or individuals who sponsor, support or conduct an amateur sports organization or athletic competition that is not officially sanctioned or is not seeking sanction as a full, affiliate or associate member of the national governing body for the sport being played, as defined by Section 373 of the Amateur Sports Act of 1978, 36 U.S.C., Section 371 et seq., shall not be subject to this section and shall have exclusive jurisdiction over such competition and shall be entitled to establish eligibility standards, provided however those standards do not conflict with federal or state law or established standards set by a governing body for which the organization or individual may seek affiliation or membership at the local, state or regional level.

E. All amateur sports organizations shall follow the eligibility standards established by the national governing body for the sport in which the athlete competes and shall:

1. Demonstrate that its membership is open to all individual amateur athletes, teams, coaches, trainers, managers, administrators or officials who seek membership, and to all amateur sports organizations which conduct programs in the sport for which membership is sought;

2. Provide an equal opportunity to all amateur athletes, teams, coaches, trainers, managers, administrators and officials to participate in amateur athletic competition without discrimination on the basis of race, color, religion, age, sex, geographical boundaries or national origin; and to provide fair notice and an opportunity for hearing to any amateur athlete, team, coach,

trainer, manager, administrator or official before determining that such individual or team is ineligible to participate;

3. Not have eligibility criteria relating to amateur status which are more restrictive than those of the appropriate international sports federation;

4. Provide equitable support and encouragement to women for participation in athletic competition where separate programs for male and female athletes are conducted on a statewide basis;

5. Encourage and support amateur athletic sports programs for handicapped individuals in amateur athletic activity including, where feasible, expanding the opportunities for meaningful participation by handicapped individuals in athletic competition for able-bodied individuals; and

6. Encourage and provide assistance to amateur athletes of racial and ethnic minorities for the purpose of eliciting the participation of such minorities in amateur athletic activities in which they are underrepresented.

F. All amateur players or teams shall not be restricted from playing either recreational or competitive sports due to race, color, religion, age, sex, geographical boundaries or national origin.

G. Any person, officer or amateur sports organization, as defined by the Amateur Sports Act of 1978, 36 U.S.C., Section 373 and by the provisions of this section, knowingly violating the provisions of subsection F of this section shall be guilty of a misdemeanor and, upon conviction, shall be imprisoned in the county jail for not more than six (6) months or fined not more than Five Hundred Dollars (\$500.00), or both such fine and imprisonment; and knowing violation of any of the provisions of this section may subject such persons or organization to civil penalties.

SECTION 2. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 24-150 of Title 70, unless there is created a duplication in numbering, reads as follows:

No school or school district shall belong to or participate in a sports competition sponsored by an organization unless said organization provides officials, referees or other individuals charged with selecting winners or controlling the conduct of the competition an equal employment opportunity without discrimination on the basis of race, color, religion, age, sex, geographical boundaries or national origin. The person or persons responsible for selecting officials, referees or other individuals charged with selecting winners or controlling the conduct of a sports competition shall select such persons in a manner to ensure a regular rotation, so as to provide an equal opportunity for each such person subject to being assigned to serve in such capacity.

SECTION 3. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

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