

STATE OF OKLAHOMA

2nd Session of the 44th Legislature (1994)

COMMITTEE SUBSTITUTE

FOR

HOUSE BILL NO. 1839

By: Boyd (Betty)

COMMITTEE SUBSTITUTE

An Act relating to sports and amusements; amending Section 1, Chapter 194, O.S.L. 1992 (3A O.S. Supp. 1993, Section 301), which relates to amateur sports; authorizing amateur sports organizations to bracket players by age; providing an effective date; and declaring an emergency.

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

SECTION 1. AMENDATORY Section 1, Chapter 194, O.S.L. 1992 (3A O.S. Supp. 1993, Section 301), is amended to read as follows:

Section 301. 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 section 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) or any Oklahoma secondary schools activities association which sponsors or conducts amateur athletes or athletic competition shall not be considered an amateur sports organization under the provisions of this section, provided however such schools shall comply with ~~the OSSAA~~ such association's 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. Any amateur sports organization may bracket amateur athletes according to age, weight or experience if such bracketing is for the purpose of fairness in competition or safety for the athletes;

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 athletes or teams who are members of an amateur sports organization shall not be restricted from playing either recreational or competitive sports due to race, color, religion, age, sex, geographical boundaries or national origin. Any amateur sports organization may bracket amateur athletes according to age, weight or experience if such bracketing is for the purpose of fairness in competition or safety for the athletes.

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. This act shall become effective July 1, 1994.

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.

44-2-8773

KSM