

1 **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2 STATE OF OKLAHOMA

3 1st Session of the 56th Legislature (2017)

4 HOUSE BILL 1668

By: Thomsen of the House

5 and

6 Rader of the Senate

7
8
9 AS INTRODUCED

10 An Act relating to schools; amending Section 2,
11 Chapter 13, O.S.L. 2016 (70 O.S. Supp. 2016, Section
12 822.2), which relates to the prohibition of persons
13 from giving money or a thing of value to a student-
14 athlete or family member for certain purposes;
15 removing requirement that high schools advise certain
16 students of certain information; providing an
17 effective date; and declaring an emergency.

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

19 SECTION 1. AMENDATORY Section 2, Chapter 13, O.S.L. 2016
20 (70 O.S. Supp. 2016, Section 822.2), is amended to read as follows:

21 Section 822.2 A. Except as provided for in subsection C of
22 this section, no person shall give, offer, promise or attempt to
23 give any money or other thing of value to a student-athlete or
24 member of the immediate family of a student-athlete:

1 1. To induce, encourage or reward the application, enrollment
2 or attendance of the student-athlete at a public or private
3 institution of postsecondary education in order to have the student-
4 athlete participate in intercollegiate sporting events, contests,
5 exhibitions or programs at that institution; or

6 2. To induce, encourage or reward the participation in an
7 intercollegiate sporting event, contest, exhibition or program by
8 the student-athlete.

9 B. No person shall enter into or solicit directly or through an
10 agent a transaction with a student-athlete if the person has, or
11 could be reasonably expected to have, knowledge that the transaction
12 would likely cause the student-athlete to permanently or temporarily
13 lose athletic scholarship eligibility, the ability to participate on
14 an intercollegiate athletic team or the ability to participate in
15 one or more intercollegiate sporting competitions as sanctioned by:

16 1. A national association for the promotion and regulation of
17 intercollegiate athletics;

18 2. An athletic conference or other sanctioning body; or

19 3. The institution of postsecondary education itself as a
20 reasonable self-imposed disciplinary action taken by the institution
21 to mitigate sanctions likely to be imposed by an organization as a
22 result of the transaction or as a violation of the rules of the
23 institution.

24 C. This section shall not apply to:

1 1. Any public or private institution of postsecondary education
2 or to any officer or employee of the institution when the
3 institution or the officer or employee of the institution is acting
4 in accordance with an official written policy of the institution
5 which is in compliance with the bylaws of the National Collegiate
6 Athletic Association;

7 2. Any intercollegiate athletic award approved or administered
8 by the public or private institution of postsecondary education;

9 3. Grants-in-aid or other full or partial scholarships awarded
10 to a student-athlete or administered by a public or private
11 institution of postsecondary education;

12 4. Members of the immediate family of the student-athlete; and

13 5. Money or things of value given by a person to a student-
14 athlete or the immediate family of a student-athlete that do not
15 exceed One Hundred Dollars (\$100.00) in value in the aggregate on an
16 annual basis.

17 D. Any person who violates the provisions of this section shall
18 be guilty of a misdemeanor and, upon conviction, shall be subject to
19 a fine of not less than One Thousand Dollars (\$1,000.00) and not
20 more than Five Thousand Dollars (\$5,000.00), or by imprisonment not
21 to exceed one (1) year, or by both such fine and imprisonment.

22 ~~E. Each public and private high school in this state shall at~~
23 ~~the beginning of each sports season advise in writing each student~~
24 ~~who participates in any athletic program sponsored by the school of~~

1 ~~the provisions of this section and shall provide each student with~~
2 ~~information concerning the effect of receiving money or other things~~
3 ~~of value on the future eligibility of the student to participate in~~
4 ~~intercollegiate athletics. The provisions of this subsection shall~~
5 ~~not apply to intramural athletic programs sponsored by the school.~~

6 SECTION 2. This act shall become effective July 1, 2017.

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

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12 COMMITTEE REPORT BY: COMMITTEE ON COMMON EDUCATION, dated 02/28/2017
13 - DO PASS, As Coauthored.
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