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April 3, 2017

ENGROSSED HOUSE
BILL NO. 1668

By: Thomsen of the House

and

Rader of the Senate

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

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

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

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

1. To induce, encourage or reward the application, enrollment or attendance of the student-athlete at a public or private institution of postsecondary education in order to have the student-

1 athlete participate in intercollegiate sporting events, contests,
2 exhibitions or programs at that institution; or

3 2. To induce, encourage or reward the participation in an
4 intercollegiate sporting event, contest, exhibition or program by
5 the student-athlete.

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

13 1. A national association for the promotion and regulation of
14 intercollegiate athletics;

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

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

21 C. This section shall not apply to:

22 1. Any public or private institution of postsecondary education
23 or to any officer or employee of the institution when the
24 institution or the officer or employee of the institution is acting

1 in accordance with an official written policy of the institution
2 which is in compliance with the bylaws of the National Collegiate
3 Athletic Association;

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

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

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

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

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

19 ~~E. Each public and private high school in this state shall at~~
20 ~~the beginning of each sports season advise in writing each student~~
21 ~~who participates in any athletic program sponsored by the school of~~
22 ~~the provisions of this section and shall provide each student with~~
23 ~~information concerning the effect of receiving money or other things~~
24 ~~of value on the future eligibility of the student to participate in~~

1 ~~intercollegiate athletics. The provisions of this subsection shall~~
2 ~~not apply to intramural athletic programs sponsored by the school.~~

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

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

8 COMMITTEE REPORT BY: COMMITTEE ON EDUCATION
9 April 3, 2017 - DO PASS
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