

103^D CONGRESS
1ST SESSION

S. 500

To provide that professional baseball teams and leagues composed of such teams shall be subject to the antitrust laws.

IN THE SENATE OF THE UNITED STATES

MARCH 4, (legislative day, MARCH 3), 1993

Mr. METZENBAUM (for himself, Mr. MACK, Mr. GRAHAM, Mr. LEAHY, Mr. WARNER, Mr. BINGAMAN, Mr. LOTT, Mr. KERREY, Mr. WELLSTONE, and Mr. ROBB) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To provide that professional baseball teams and leagues composed of such teams shall be subject to the antitrust laws.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Professional Baseball
5 Antitrust Reform Act of 1993”.

6 **SEC. 2. FINDINGS.**

7 The Congress finds that—

8 (1) the business of organized professional base-
9 ball is in, or affects, interstate commerce; and

1 (2) the antitrust laws should be amended to re-
2 verse the result of the decisions of the Supreme
3 Court of the United States in *Federal Baseball Club*
4 *v. National League*, 259 U.S. 200 (1922), *Toolson*
5 *v. New York Yankees, Inc.*, 346 U.S.C 356 (1953),
6 and *Flood v. Kuhn*, 407 U.S. 258 (1972), which ex-
7 empted baseball from coverage under the antitrust
8 laws.

9 **SEC. 3. APPLICATION OF ANTITRUST LAWS TO PROFES-**
10 **SIONAL BASEBALL.**

11 The Clayton Act (15 U.S.C. 12 et seq.) is amended
12 by adding at the end the following new section:

13 “SEC. 27. Except as provided in Public Law 87–331
14 (15 U.S.C. 291 et seq.) (commonly known as the Sports
15 Broadcasting Act of 1961), the antitrust laws shall apply
16 to the business of organized professional baseball.”

17 **SEC. 4. EFFECTIVE DATE.**

18 The provisions and amendments made by this Act
19 shall take effect one year after the date of the enactment
20 of this Act and—

21 (1) shall apply to conduct that occurs and any
22 agreement in effect after such effective date; and

23 (2) shall not apply to conduct that occurred be-
24 fore such effective date.

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