

115TH CONGRESS
2D SESSION

H. R. 6749

To provide protections for amateur and professional athletes, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 7, 2018

Mr. LAWSON of Florida introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To provide protections for amateur and professional athletes, and for other purposes.

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; TABLE OF CONTENTS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “National Collegiate Athletics Advancement Act of 2018”
6 or the “NCAA Act of 2018”.

7 (b) **TABLE OF CONTENTS.**—The table of contents for
8 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—ATHLETES ENROLLED IN INSTITUTIONS OF HIGHER
EDUCATION

- Sec. 10. Enforcement.
- Sec. 11. Amateurism.
- Sec. 12. Scholarships.
- Sec. 13. Returning athlete scholarships.
- Sec. 14. Student-athlete work opportunity.
- Sec. 15. Student-athlete injury coverage.

TITLE II—COLLECTIVE BARGAINING AGREEMENTS

- Sec. 21. Collective bargaining agreements in professional sports.

TITLE III—GENERAL PROVISIONS

- Sec. 31. Annual report.
- Sec. 32. Definitions.

1 **TITLE I—ATHLETES ENROLLED** 2 **IN INSTITUTIONS OF HIGHER** 3 **EDUCATION**

4 **SEC. 10. ENFORCEMENT.**

5 Section 487(a) of the Higher Education Act of 1965
 6 (20 U.S.C. 1094(a)) is amended by adding at the end the
 7 following:

8 “(30) The institution will comply with the re-
 9 quirements of title I of the NCAA Act of 2018.”.

10 **SEC. 11. AMATEURISM.**

11 (a) IN GENERAL.—Except as provided in subsection
 12 (b), an institution of higher education may not restrict,
 13 or be a member of an intercollegiate athletic association
 14 that restricts amateur athletes from participating in ama-
 15 teur sports.

16 (b) RESTRICTIONS.—Subsection (a) shall not apply
 17 to restrictions with respect to—

18 (1) performance enhancement drugs;

1 (2) controlled substances which are illegal
2 under the State laws in which the institution is lo-
3 cated;

4 (3) educational requirements; or

5 (4) student code violations.

6 **SEC. 12. SCHOLARSHIPS.**

7 (a) **FRESHMEN SCHOLARSHIP REQUIREMENTS.—**

8 (1) **IN GENERAL.—**In the case of a student de-
9 scribed in paragraph (2), an institution of higher
10 education may only provide a scholarship for at least
11 2 concurrent academic years.

12 (2) **STUDENT DESCRIBED.—**A student de-
13 scribed under this paragraph is a student who—

14 (A) participates as an athlete in a colle-
15 giate revenue-generating sport;

16 (B) is an incoming freshman at such insti-
17 tution; and

18 (C) does not transfer to such institution
19 from another institution of higher education.

20 (b) **OTHER STUDENT ATHLETES.—**

21 (1) **IN GENERAL.—**In the case of a student de-
22 scribed in paragraph (2), an institution of higher
23 education may only provide a scholarship for at least
24 1 academic year.

1 (2) STUDENT DESCRIBED.—A student de-
2 scribed in this paragraph is a student who—

3 (A) participates as an athlete in a colle-
4 giate revenue-generating sport; and

5 (B) is not a recipient of a scholarship
6 under subsection (a).

7 (c) AMOUNT OF SCHOLARSHIP.—The amount of a
8 scholarship under subsection (a) or (b) shall be equal to
9 the cost of attendance for the institution awarding such
10 scholarship, as determined under section 472 of the High-
11 er Education Act of 1965 (20 U.S.C. 10871).

12 (d) REVOCATION.—An institution of higher education
13 may only revoke a scholarship under subsections (a) and
14 (b) if the recipient of such scholarship—

15 (1) elects to withdraw from participating in the
16 collegiate revenue-generating sport;

17 (2) fails to complete mandatory time with re-
18 spect to such sport;

19 (3) is not an amateur athlete;

20 (4) violates the student code of conduct of the
21 institution of higher education; or

22 (5) has a GPA or academic performance below
23 the standard for student athletes of the institution
24 of higher education.

1 **SEC. 13. RETURNING ATHLETE SCHOLARSHIPS.**

2 (a) ASSOCIATES DEGREE.—In the case of a student
3 that received a scholarship from an institution of higher
4 education under subsection (a) or (b) of section 12 and
5 attended such institution for a period of less than 2 aca-
6 demic years, such institution of higher education shall pro-
7 vide a needs-based scholarship to such student to complete
8 the minimum coursework necessary to obtain an associate
9 degree.

10 (b) BACHELOR’S DEGREE.—In the case of a student
11 that received a scholarship from an institution of higher
12 education under subsection (a) or (b) of section 12 and
13 attended such institution for a period of 2 or more aca-
14 demic years, such institution of higher education shall pro-
15 vide a needs-based scholarship to such student to complete
16 the minimum coursework necessary to obtain a bachelor’s
17 degree.

18 (c) FULL-TIME STUDENTS.—An institution of higher
19 education may require a returning student described in
20 subsection (a) or (b) to attend such institution full-time.

21 (d) NEEDS-BASED SCHOLARSHIP.—In this section,
22 the term “needs-based scholarship” means the amount
23 equal to—

24 (1) the cost of attendance for a student (as de-
25 fined in section 472 of the Higher Education Act of
26 1965 (20 U.S.C. 1087ll)); minus

1 (2) the lesser of the following:

2 (A) The expected family contribution for
3 such student if such contribution was deter-
4 mined under section 475 of the Higher Edu-
5 cation Act of 1965 (20 U.S.C. 1087oo).

6 (B) The expected family contribution for
7 such student if such contribution was deter-
8 mined under section 476 of the Higher Edu-
9 cation Act of 1965 (20 U.S.C. 1087pp).

10 (C) The expected family contribution for
11 such student if such contribution was deter-
12 mined under section 477 of the Higher Edu-
13 cation Act of 1965 (20 U.S.C. 1087qq).

14 **SEC. 14. STUDENT-ATHLETE WORK OPPORTUNITY.**

15 (a) IN GENERAL.—An institution of higher education
16 that provides a scholarship under subsection (a) or (b) of
17 section 12 to a student shall require that such student
18 report to such institution any potential paid work oppor-
19 tunity such student intends to accept, before accepting
20 such work opportunity.

21 (b) REVIEW OF WORK OPPORTUNITY.—In the case
22 of a work opportunity reported pursuant to subsection (a),
23 an institution shall—

24 (1) approve or deny such opportunity not later
25 than 14 days after receiving such report; and

1 (2) deny such opportunity only if accepting
2 such opportunity—

3 (A) would nullify the amateur status of
4 such student; or

5 (B) would prohibit the student from ful-
6 filling mandatory time commitments for the
7 sport for which the student received a scholar-
8 ship under subsection (a) or (b) of section 12.

9 (c) EFFECT OF DENIAL.—In the case of a denial of
10 an opportunity reported to an institution of higher edu-
11 cation pursuant to subsection (a), if a student accepts
12 such opportunity, the institution may revoke the scholar-
13 ship under subsection (a) or (b) of section 12 of such stu-
14 dent.

15 **SEC. 15. STUDENT-ATHLETE INJURY COVERAGE.**

16 (a) IN GENERAL.—In the case of a student at an in-
17 stitution of higher education who participates as an ath-
18 lete in a collegiate revenue-generating sport, such institu-
19 tion shall ensure that such student is provided, at no cost
20 to such student, coverage for any medical costs incurred
21 by such student with respect to any injury attributable
22 to participation in such sport. Such institution shall serve
23 as the primary payor with respect to such costs in lieu
24 of any benefits such student may have under health insur-
25 ance coverage or a group health plan (as such terms are

1 defined in section 2791 of the Public Health Service Act
 2 (42 U.S.C. 300gg-91)).

3 (b) EFFECTIVE DATE.—The requirement specified in
 4 subsection (a) shall apply with respect to students partici-
 5 pating in a collegiate revenue-generating sport on or after
 6 the date that is 180 days after the date of the enactment
 7 of this Act.

8 **TITLE II—COLLECTIVE** 9 **BARGAINING AGREEMENTS**

10 **SEC. 21. COLLECTIVE BARGAINING AGREEMENTS IN PRO-** 11 **FESSIONAL SPORTS.**

12 A collective bargaining agreement between a profes-
 13 sional sports league and a professional players' association
 14 entered into after the date of the enactment of this Act
 15 shall allow adults to enter the collective bargaining agree-
 16 ment at the same level as other adults with the same expe-
 17 rience level in such professional sports league.

18 **TITLE III—GENERAL** 19 **PROVISIONS**

20 **SEC. 31. ANNUAL REPORT.**

21 Not later than 1 year after the date of the enactment
 22 of this Act, and annually thereafter, the Secretary of Edu-
 23 cation shall provide each institution of higher education
 24 with a collegiate revenue-generating sport a report of the

1 responsibilities of such institutions with respect to players
2 participating in the collegiate revenue-generating sport.

3 **SEC. 32. DEFINITIONS.**

4 In this Act:

5 (1) ADULT.—The term “adult” means a person
6 that is at least 18 years old.

7 (2) AMATEUR ATHLETE.—The term “amateur
8 athlete” means an athlete that participates in a
9 sport who has not—

10 (A) entered into a contract with a profes-
11 sional team with respect to such sport;

12 (B) received a salary with respect to such
13 sport;

14 (C) received earnings (not including schol-
15 arships) related to the participation in such
16 sport; or

17 (D) received compensation from an agent
18 representing or attempting to represent such
19 athlete in such sport.

20 (3) COLLEGIATE REVENUE-GENERATING
21 SPORT.—The term “collegiate revenue-generating
22 sport” means men’s basketball or men’s football of-
23 fered by an institution of higher education for which
24 such institution participates in a qualified league.

1 (4) INSTITUTION OF HIGHER EDUCATION.—The
2 term “institution of higher education” means an in-
3 stitution described in section 101 of the Higher
4 Education Act of 1965 (20 U.S.C. 1001).

5 (5) QUALIFIED LEAGUE.—The term “qualified
6 league” means—

7 (A) division 1, football bowl subdivision,
8 autonomy schools; and

9 (B) any sports league comprised of at least
10 6 participating institutions of higher education
11 in which at least 66 percent or greater of the
12 revenues from a sport offered by such institu-
13 tions exceed the expenses in that sport in each
14 of the two most recently reported years.

15 (6) PROFESSIONAL SPORTS LEAGUE.—The
16 term “professional sports league” means—

17 (A) the National Hockey League;

18 (B) the National Football League;

19 (C) the National Basketball Association;

20 (D) Major League Baseball; and

21 (E) Major League Soccer.

22 (7) PROFESSIONAL PLAYERS ASSOCIATION.—A
23 group of professional sports league players that are

- 1 represented by a collective bargaining agreement
- 2 with a professional sports league.

