

House Bill 766

By: Representatives Scott of the 76th, Jackson of the 64th, Mitchell of the 88th, McClain of the 100th, Douglas of the 78th, and others

A BILL TO BE ENTITLED
AN ACT

1 To amend Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to
2 postsecondary education, so as to provide that postsecondary educational institutions shall
3 deposit a portion of all revenue derived from its athletic teams' involvement with
4 intercollegiate postseason athletic contests into an escrow account to be distributed to eligible
5 student athletes on a pro rata basis upon graduation; to provide legislative findings and intent;
6 to provide for definitions; to provide for related matters; to provide for an effective date; to
7 repeal conflicting laws; and for other purposes.

8 **BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:**

9 **SECTION 1.**

10 (a) The General Assembly finds that student athletes invest much time, effort, and focus on
11 their athletic pursuits, which contribute to opportunities for their athletic teams to represent
12 their postsecondary educational institutions in intercollegiate postseason athletic contests,
13 such as bowl games, championships, playoffs, tournaments, and other similar activities, some
14 of which result in significant financial benefits for the student athlete's postsecondary
15 educational institution, and for coaches and other personnel of the postsecondary educational
16 institution, but which do not necessarily result in financial benefits for the student athletes
17 themselves.

18 (b) The intent of this Act is to promote graduation from postsecondary educational
19 institutions and to provide a means for student athletes to receive appropriate and proper
20 financial benefits for their contributions when their athletic teams represent their
21 postsecondary educational institutions in intercollegiate postseason athletic contests.

22 **SECTION 2.**

23 Chapter 3 of Title 20 of the Official Code of Georgia Annotated, relating to postsecondary
24 education, is amended by adding a new article to read as follows:

25 "ARTICLE 13

26 20-3-680.

27 As used in this article, the term:

28 (1) 'Intercollegiate postseason athletic contest' means any intercollegiate athletic contest,
 29 duel, game, match, meet, or other similar activity which occurs after and in addition to
 30 the regular season.

31 (2) 'Postsecondary educational institution' means a school which is:

32 (A) A unit of the University System of Georgia;

33 (B) A unit of the Technical College System of Georgia; or

34 (C) An independent or private college or university located in Georgia and eligible to
 35 be deemed an 'approved school' pursuant to paragraph (2) of Code Section 20-3-411.

36 (3) 'Student athlete' means a person enrolled at a postsecondary educational institution
 37 who engages or is eligible to engage in any intercollegiate athletic program at such
 38 institution.

39 20-3-681.

40 (a) Each postsecondary educational institution for which an athletic team represents such
 41 postsecondary educational institution in an intercollegiate postseason athletic contest shall
 42 deposit into an escrow account dedicated for such purpose an amount equal to 33 percent
 43 of all revenue received by the postsecondary educational institution, from all sources, for
 44 being invited or allowed to participate in, for participating in, or for winning any
 45 intercollegiate postseason athletic contest. Such deposits shall be not be calculated or made
 46 sooner than 45 days or later than 90 days after the date of each intercollegiate postseason
 47 athletic contest.

48 (b) Upon graduation from a postsecondary educational institution, each student athlete
 49 shall be paid from the escrow account provided for in subsection (a) of this Code section
 50 his or her pro rata share of the deposit made for each intercollegiate postseason athletic
 51 contest for which such student athlete was in good standing and eligible to participate at
 52 the time of such intercollegiate postseason athletic contest."

53 **SECTION 3.**

54 This Act shall become effective on July 1, 2020.

55 **SECTION 4.**

56 All laws and parts of laws in conflict with this Act are repealed.