

House Bill 3

By: Representative Fleming of the 121st

A BILL TO BE ENTITLED
AN ACT

To amend Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to other educational programs, so as to provide sanctions for persons that enter into or solicit a transaction with a student-athlete that would result in sanctions to the student-athlete; to provide for related matters; to provide for an effective date; to repeal conflicting laws; and for other purposes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF GEORGIA:

SECTION 1.

Part 14 of Article 6 of Chapter 2 of Title 20 of the Official Code of Georgia Annotated, relating to other educational programs, is amended by adding a new Code section to read as follows:

"20-2-318.1.

(a) As used in this Code section, the term:

(1) 'Person' means an individual, corporation, business trust, estate, trust, partnership, limited liability company, association, joint venture, firm, or any other legal or commercial entity.

(2) 'Student-athlete' means a student at any public or private institution of postsecondary education in this state who engages in, is eligible to engage in, or may be eligible to engage in any intercollegiate sporting event, contest, exhibition, or program.

(3) 'Transaction' means any action or set of actions occurring between two or more persons for the sale or exchange of any property or services.

(b) It shall be unlawful for any person to enter into or solicit directly or through an agent a transaction with a student-athlete if such person has knowledge that the transaction would likely be cause for the student-athlete to permanently or temporarily lose athletic scholarship eligibility, the ability to participate on an intercollegiate athletic team, or the ability to participate in one or more intercollegiate sporting competitions as sanctioned by a national association for the promotion and regulation of intercollegiate athletics, by an

27 athletic conference or other sanctioning body, or by the institution of postsecondary
28 education itself as a reasonable self-imposed disciplinary action taken by such institution
29 to mitigate sanctions likely to be imposed by such organizations as a result of such
30 transaction or as a violation of such institution's own rules.

31 (c)(1) Any individual who violates this Code section shall be guilty of a felony
32 punishable by imprisonment for not less than one nor more than five years and a fine of
33 \$25,000.00.

34 (2) Except as otherwise provided in paragraph (1) of this subsection, any person that
35 violates this Code section shall be subject to a fine of \$25,000.00."

36 **SECTION 2.**

37 This Act shall become effective upon its approval by the Governor or upon its becoming law
38 without such approval.

39 **SECTION 3.**

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