

By the Committees on Criminal Justice; Education; and Senator Hill

307-2508-03

1 A bill to be entitled
2 An act relating to student athletes; creating
3 s. 877.135, F.S.; prohibiting the giving or
4 offering of inducements to certain student
5 athletes for the purpose of encouraging such
6 athlete to attend or not attend certain
7 academic institutions, to become a professional
8 athlete, or to endorse products or commercial
9 establishments; providing exceptions; providing
10 penalties; providing an effective date.

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12 Be It Enacted by the Legislature of the State of Florida:

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14 Section 1. Section 877.135, Florida Statutes, is
15 created to read:

16 877.135 Corrupting or attempting to corrupt student
17 athletes.--

18 (1) For the purpose of this section, the term "student
19 athlete" means a student in grades 6 through 12 who
20 participates in interscholastic athletic contests as a
21 representative of the school the student attends and who
22 resides in this state.

23 (2) A person who, knowing another person is a student
24 athlete, gives or offers an item of monetary value to the
25 person who is a student athlete or to another person with the
26 intent to encourage the person who is a student athlete to
27 attend or not attend a particular academic institution, to
28 become a professional athlete, or to endorse a product or
29 commercial establishment, commits a misdemeanor of the second
30 degree, punishable as provided in s. 775.082 or by a fine not

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1 to exceed \$1,000 or three times the value of the inducement
2 given or offered, whichever is the greater amount.

3 (3) The provisions of this section do not apply to:

4 (a) A written statement by an academic institution to
5 a student athlete in which the student athlete is offered a
6 scholarship or the provision of items and expenses
7 specifically permitted under the rules and regulations
8 governing the recruitment of athletes by the academic
9 institution.

10 (b) A written statement by a professional sports team
11 or organization to a student athlete in which the student
12 athlete is offered employment with the professional sport team
13 or organization, if that written statement also includes a
14 written statement specifying any limitation that the
15 acceptance of such offer will place on the amateur career of
16 the student athlete.

17 (c) An item of monetary value that is given to the
18 student athlete by a spouse, parent, sibling, grandparent, or
19 legal guardian of such student athlete, unless such item was
20 given to the spouse, parent, sibling, grandparent, or legal
21 guardian by a person in violation of this section.

22 (d) An endorsement of a product or commercial
23 establishment by a student athlete, if the student athlete is
24 not paid or compensated for the endorsement.

25 (e) An endorsement of a product or commercial
26 establishment in which a person who is a student athlete is
27 compensated or paid for the endorsement, if the endorsement
28 does not identify the person who is a student athlete as a
29 student athlete through any direct or indirect means and does
30 not depict, describe, or display such person's athletic
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1 ability as it relates to the sport in which such person
2 participates as a student athlete.

3 Section 2. This act shall take effect July 1, 2003.

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5 STATEMENT OF SUBSTANTIAL CHANGES CONTAINED IN
6 COMMITTEE SUBSTITUTE FOR
7 CS for SB 1788

- 8 - Defines the term "student athlete."
9 - Punishes inducements to the student athlete.
10 - Provides that the newly created offense does not apply if
11 the athlete is not paid or compensated for an endorsement
12 or, if paid or compensated, the endorsement does not
13 identify the student athlete as a student athlete or
14 depict, describe, or display the athlete's ability in the
15 particular sport the athlete plays.
16 - Requires that a person subject to the newly created
17 section know that the student athlete is a student
18 athlete.
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