

SENATE BILL REPORT

HB 2838

As of February 25, 2002

Title: An act relating to restrictions on local access to broadcasts of professional sports.

Brief Description: Prohibiting professional football blackouts.

Sponsors: Representatives Hunt, Schmidt, Simpson, Schual-Berke, Morris, Lovick, Sullivan, Anderson, Esser, Conway, Tokuda, Kirby and Berkey.

Brief History:

Committee Activity: Labor, Commerce & Financial Institutions: 2/26/02.

SENATE COMMITTEE ON LABOR, COMMERCE & FINANCIAL INSTITUTIONS

Staff: Elizabeth Mitchell (786-7430)

Background: National Football League (NFL) rules provide that any game that is not sold out 72 hours before the game begins is eliminated from live broadcast coverage within the team's home territory. The team's home territory is the city in which the team plays its home games and includes an area 75 miles in every direction from the city limits.

NFL blackouts are allowed by federal laws. These laws have been challenged several times by those seeking to eliminate blackouts.

Summary of Bill: A professional football team performing in a stadium constructed with public funds and any league, conference, or association affiliated with the team shall not deny the live local broadcast of an event within an area 75 miles of the stadium based on attendance. This prohibition does not apply if, within 72 hours of the event, the percentage of tickets not sold is greater than the percentage of construction costs for the stadium paid with public funds. For example, if 40 percent of the stadium's construction costs are paid with public funds, then a live broadcast could be blacked out if, 72 hours before the event, 41 percent or more of the seats remained unsold.

This prohibition does not apply to existing contracts but does apply to any extensions or renegotiations of existing contracts.

A violation of this prohibition is a violation of the Consumer Protection Act.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: Ninety days after adjournment of session in which bill is passed.