
**Technology, Telecommunications
& Energy Committee**

HB 1740

Brief Description: Prohibiting professional football blackouts.

Sponsors: Representatives Hunt, Pearson, Sullivan, Haigh, McDermott, Tom, Miloscia, Hinkle, Simpson, Conway, Fromhold, Bush, Hudgins, Ahern, Hatfield, Pettigrew, Clibborn, Dickerson, Linville, Morris, Dunshee, Wallace, Schual-Berke, Veloria, Chase, Romero, Ruderman and Condotta.

Brief Summary of Bill

- Prohibits professional football teams that play in stadiums funded with public money and their affiliated league from denying the local live broadcast of games played in the stadium unless a certain percentage of tickets are left unsold.
- Delays the effective date of the bill until at least four other states have enacted similar legislation. If this contingency is not met by January 1, 2009, the bill will not go into effect.

Hearing Date: 2/19/03

Staff: Pam Madson (786-7166).

Background:

The 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.

The NFL's blackout rule has a long history and has been challenged by those seeking to change the rule. In 1973, Congress adopted anti-blackout legislation that was in effect until 1975. The NFL has continued the rule as its policy since that time.

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 sold is lower 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, 39 percent or less of the seats had been sold.

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.

This prohibition will take effect 90 days after the Secretary of State certifies that at least four other states have enacted substantially similar legislation. If this contingency is not met by January 1, 2009, this prohibition will not take effect.

Appropriation: None.

Fiscal Note: Not Requested.

Effective Date: The bill contains a contingent effective date. Refer to the bill.