

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 1769 Session of
2007

INTRODUCED BY SAYLOR, SOLOBAY, FAIRCHILD, BENNINGHOFF, BOYD,
CREIGHTON, FLECK, HERSHEY, KIRKLAND, KORTZ, McILHATTAN,
R. MILLER, MOUL, PHILLIPS, PYLE, SWANGER, TRUE AND
VULAKOVICH, JULY 25, 2007

REFERRED TO COMMITTEE ON EDUCATION, JULY 25, 2007

AN ACT

1 Amending the act of March 10, 1949 (P.L.30, No.14), entitled "An
2 act relating to the public school system, including certain
3 provisions applicable as well to private and parochial
4 schools; amending, revising, consolidating and changing the
5 laws relating thereto," providing for restrictions on
6 participation in intercollegiate athletics.

7 The General Assembly of the Commonwealth of Pennsylvania
8 hereby enacts as follows:

9 Section 1. The act of March 10, 1949 (P.L.30, No.14), known
10 as the Public School Code of 1949, is amended by adding an
11 article to read:

12 ARTICLE XX-D

13 STUDENT ATHLETES

14 Section 2001-D. Definitions.

15 The following words and phrases when used in this article
16 shall have the meanings given to them in this section unless the
17 context clearly indicates otherwise:

18 "Community college." An institution created pursuant to
19 Article XIX-A or the act of August 24, 1963 (P.L.1132, No.484),

1 known as the Community College Act of 1963.

2 "Department." The Department of Education of the
3 Commonwealth.

4 "Public institution of higher education." A community
5 college, State-owned institution or State-related institution.

6 "State-owned institution." An institution which is part of
7 the State System of Higher Education pursuant to Article XX-A.

8 "State-related institution." The Pennsylvania State
9 University, the University of Pittsburgh, Temple University,
10 Lincoln University and their branch campuses.

11 Section 2002-D. Participation restricted.

12 Notwithstanding any other provision of law, no student
13 athlete enrolled at any campus of a public institution of higher
14 education may participate as a member of any intercollegiate
15 athletic team or as a participant in any intercollegiate
16 athletic event, except in a manner available to the general
17 public, if the student athlete, at any time after enrollment as
18 a college or university student, is prosecuted as an adult and
19 is convicted of a felony.

20 Section 2003-D. Responsibilities of institution.

21 A public institution of higher education to which this
22 article applies may rely upon the declaration of a student
23 athlete to determine eligibility for participation in
24 intercollegiate athletics with respect to the requirements of
25 this article. Any declaration obtained from a student athlete
26 pursuant to this article shall contain a notice advising the
27 student that the student may be subject to disciplinary action,
28 including, but not limited to, suspension, dismissal or
29 expulsion, if the student knowingly provides false information
30 in the declaration. An institution to which this article applies

1 may, at the discretion of its appropriate administrators, seek
2 independent confirmation of the truth of any and all of the
3 statements of a student athlete taken pursuant to this article.

4 Section 2004-D. Eligibility.

5 A student convicted as described in section 2002-D is
6 eligible to participate as a member of an intercollegiate
7 athletic team after the student successfully completes the
8 entire term of probation or successfully completes the assigned
9 prison term and parole period, if any.

10 Section 2. This act shall take effect in 60 days.