
THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

No. 2292 Session of
1992

INTRODUCED BY WILLIAMS, ROBINSON, CARN, HARPER, RICHARDSON,
BISHOP, VEON, THOMAS, BELFANTI, McCALL, WAMBACH, STEIGHNER
AND LESCOVITZ, JANUARY 7, 1992

REFERRED TO COMMITTEE ON EDUCATION, JANUARY 7, 1992

AN ACT

1 Requiring institutions of higher education within this
2 Commonwealth to establish student athlete reserve trust
3 funds.

4 The General Assembly of the Commonwealth of Pennsylvania
5 hereby enacts as follows:

6 Section 1. Definitions.

7 The following words and phrases when used in this act shall
8 have the meanings given to them in this section unless the
9 context clearly indicates otherwise:

10 "Independent institution of higher education." An
11 institution of higher education which is operated not-for-
12 profit, located in and incorporated or chartered by the
13 Commonwealth, entitled to confer degrees and entitled to apply
14 to itself the designation "college" or "university" as provided
15 for by standards and qualifications prescribed by the State
16 Board of Education.

17 "Institution of higher education." An independent
18 institution of higher education, a community college, a State-

1 owned institution or a State-related institution, any of which
2 is approved by the Department of Education.

3 Section 2. Student athlete reserve trust fund.

4 Institutions of higher education within this Commonwealth
5 which conduct athletic programs shall establish a trust fund,
6 derived from fees and proceeds obtained from exhibitions
7 performed by student athletes, which shall be held in reserve
8 and distributed by the institutions to student athletes for the
9 restricted purposes of meeting the costs of education, including
10 living expenses, at their institutions. Not less than one-half
11 of the total amount of profit derived from athletic event
12 exhibitions shall be made available to the trust fund.

13 Section 3. Enforcement.

14 (a) Action to compel compliance.--Whenever the Attorney
15 General has reason to believe that an institution of higher
16 education is violating this act, the Attorney General may bring
17 an action in the name of the Commonwealth against the
18 institution to compel compliance.

19 (b) Civil penalty.--In any action brought by the Attorney
20 General to compel compliance with this act, if the court finds
21 that an institution of higher education is willfully violating
22 this act or if any institution of higher education fails to
23 promptly comply with an order of the court to comply with this
24 act, the Attorney General, acting in the name of the
25 Commonwealth, may recover on behalf of the Commonwealth a civil
26 penalty of not more than \$10,000.

27 Section 4. Effective date.

28 This act shall take effect in 60 days.