

118TH CONGRESS
2D SESSION

H. R. 8534

To prohibit a student athlete from being considered an employee of an institution, a conference, or an association based on participation in certain intercollegiate athletics.

IN THE HOUSE OF REPRESENTATIVES

MAY 23, 2024

Mr. GOOD of Virginia (for himself, Ms. FOXX, Mr. OWENS, Mr. BURLISON, Mr. OGLES, Mr. WALBERG, Mr. ALLEN, Mr. KELLY of Pennsylvania, Mr. LAMALFA, Mrs. MILLER of Illinois, and Mr. ADERHOLT) introduced the following bill; which was referred to the Committee on Education and the Workforce

A BILL

To prohibit a student athlete from being considered an employee of an institution, a conference, or an association based on participation in certain intercollegiate athletics.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Protecting Student
5 Athletes’ Economic Freedom Act”.

6 **SEC. 2. EMPLOYMENT STANDINGS.**

7 Notwithstanding any other provision of Federal or
8 State law, a student athlete (or former student athlete)

1 may not be considered an employee of an institution, a
2 conference, or an association under any Federal or State
3 law or regulation based on participation of the student
4 athlete (or former student athlete) in a varsity intercolle-
5 giate athletics program or a varsity intercollegiate ath-
6 letics competition, or the existence of rules or require-
7 ments for being a member of any varsity sports team.

8 **SEC. 3. DEFINITIONS.**

9 In this Act:

10 (1) ASSOCIATION.—The term “association”
11 means an organization that—

12 (A) has multiple conferences and institu-
13 tions as members;

14 (B) arranges championships for varsity
15 intercollegiate athletics programs;

16 (C) sets rules for varsity intercollegiate
17 athletics programs;

18 (D) sets rules for varsity intercollegiate
19 athletics competitions; and

20 (E) is not a conference.

21 (2) CONFERENCE.—The term “conference”
22 means an organization that—

23 (A) has multiple institutions as members;

24 (B) sets rules for varsity intercollegiate
25 athletics competitions;

1 (C) arranges championships for varsity
2 intercollegiate athletics programs; and

3 (D) is not an association.

4 (3) INSTITUTION.—The term “institution”
5 means an institution of higher education (as defined
6 in section 101 of the Higher Education Act of 1965
7 (20 U.S.C. 1001)) that sponsors a varsity intercolle-
8 giate athletics program in the United States.

9 (4) STUDENT ATHLETE.—The term “student
10 athlete” means an individual who participates in a
11 varsity intercollegiate athletics program.

12 (5) VARSITY INTERCOLLEGIATE ATHLETICS
13 COMPETITION.—The term “varsity intercollegiate
14 athletics competition” means a competition involving
15 2 or more varsity intercollegiate athletics programs
16 sponsored by different institutions.

17 (6) VARSITY INTERCOLLEGIATE ATHLETICS
18 PROGRAM.—The term “varsity intercollegiate ath-
19 letics program” means a team or other program unit
20 of an institution participating in a sport—

21 (A) played at the intercollegiate level;

22 (B) administered by an athletic depart-
23 ment; and

1 (C) for which eligibility requirements for
2 participation by student athletes are established
3 by an association.

4 (7) VARSITY SPORTS TEAM.—The term “varsity
5 sports team”—

6 (A) means a team of student athletes orga-
7 nized by a varsity intercollegiate athletics pro-
8 gram to participate in a varsity intercollegiate
9 athletics competition; and

10 (B) does not include a team that is tradi-
11 tionally characterized as an intramural or club
12 team.

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