

Senate Fiscal Agency  
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**SFA**

BILL ANALYSIS

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House Bill 5511 (Substitute H-2 as reported without amendment)

Sponsor: Representative Kirk Profit

House Committee: Colleges and Universities

Senate Committee: Judiciary

### **CONTENT**

The bill would amend the Revised Judicature Act to provide that a person would be liable to an institution of higher education for \$10,000 or actual damages incurred, whichever was greater, if he or she interfered with "the prospective advantage accorded the institution of higher education by virtue of its relationship with an intercollegiate athletics governing organization" by promising or providing any improper gift or service to a student athlete or prospective student athlete or the immediate family of such an athlete. The college or university also could recover actual attorney fees and actual costs incurred in bringing the action.

"Institution of higher education" would mean a public university, college, or community college located in this State. "Improper gift or service" would mean any gift or service that a student athlete was prohibited from accepting under the rules of the college or university.

"Student athlete" would mean a person who engaged in, was eligible to engage in, or could be eligible to engage in any intercollegiate sporting event, contest, exhibition, or program. "Prospective student athlete" would mean a person who was being recruited to be a student athlete at an institution of higher education.

"Immediate family" would mean a person's spouse, child, parent, stepparent, grandparent, grandchild, brother, sister, parent-in-law, brother- or sister-in-law, nephew, niece, aunt, uncle, or first cousin, or the spouse or guardian of any of those persons.

Proposed MCL 600.2965

Legislative Analyst: P. Affholter

### **FISCAL IMPACT**

The bill would have no fiscal impact on State government. There could be additional revenue for community colleges (which are local units of government) and universities to the extent that violations occurred and damages were successfully collected.

Date Completed: 11-12-98

Fiscal Analyst: E. Jeffries