

Amendment No.

CHAMBER ACTION

Senate

House

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1 Representative Grant, J. offered the following:

2
3 **Amendment (with title amendment)**

4 Remove lines 65-153 and insert:

5 (b) "Disability insurance" means insurance covering
6 disability compensation benefits for an intercollegiate athlete
7 participating in an athletic program.

8 (c) "Health insurance" means primary health insurance
9 covering injuries resulting from the intercollegiate athlete's
10 participation in an athletic program that provides for all
11 medically necessary treatment and care until the intercollegiate
12 athlete is restored to her or his condition before the injury.

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13 (d) "Injury" means an injury sustained by an
14 intercollegiate athlete while participating in an athletic
15 program's activities.

16 (e) "Insurance" means health insurance and disability
17 insurance.

18 (f) "Intercollegiate athlete" means a student who
19 participates in an athletic program. The term includes a former
20 intercollegiate athlete who suffered an injury.

21 (g) "Partial disability" means the intercollegiate
22 athlete's incapacity because of the injury to earn full-time
23 wages.

24 (h) "Physician" means a physician licensed under chapter
25 458, an osteopathic physician licensed under chapter 459, a
26 podiatric physician licensed under chapter 461, or an
27 optometrist licensed under chapter 463.

28 (i) "Postsecondary educational institution" means a state
29 university, a Florida College System institution, or a private
30 college or university receiving aid under chapter 1009.

31 (j) "Total disability" means an intercollegiate athlete's
32 inability to earn wages because of an injury.

33 (2) INTERCOLLEGIATE ATHLETES' COMPENSATION AND RIGHTS AND
34 POSTSECONDARY EDUCATIONAL INSTITUTIONS RESPONSIBILITIES.-

35 (a) An intercollegiate athlete at a postsecondary
36 educational institution may earn compensation for the use of her
37 or his name, image, or likeness. Such compensation must be

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38 commensurate with the market value of the authorized use of the
39 athlete's name, image, or likeness. To preserve the integrity,
40 quality, character, and amateur nature of intercollegiate
41 athletics and to maintain a clear separation between amateur
42 intercollegiate athletics and professional sports, such
43 compensation may not be provided in exchange for athletic
44 performance or attendance at a particular institution and may
45 only be provided by a third party unaffiliated with the
46 intercollegiate athlete's postsecondary educational institution.

47 (b) A postsecondary educational institution may not adopt
48 or maintain a contract, rule, regulation, standard, or other
49 requirement that prevents or unduly restricts an intercollegiate
50 athlete from earning compensation for the use of her or his
51 name, image, or likeness. Earning such compensation may not
52 affect the intercollegiate athlete's grant-in-aid or athletic
53 eligibility.

54 (c) A postsecondary educational institution, an entity
55 whose purpose includes supporting or benefitting the institution
56 or its athletic programs, or an officer, director, or employee
57 of such institution or entity may not compensate or cause
58 compensation to be directed to a current or prospective
59 intercollegiate athlete for her or his name, image, or likeness.

60 (d) A postsecondary educational institution may not
61 prevent or unduly restrict an intercollegiate athlete from
62 obtaining professional representation by an athlete agent or

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63 attorney engaged for the purpose of securing compensation for
64 the use of her or his name, image, or likeness. Pursuant to s.
65 468.453(8), an athlete agent representing an intercollegiate
66 athlete for purposes of securing compensation for the use of her
67 or his name, image, or likeness, must be licensed under part IX
68 of chapter 468. An attorney representing an intercollegiate
69 athlete for purposes of securing compensation for the use of her
70 or his name, image, or likeness must be a member in good
71 standing of The Florida Bar.

72 (e) A grant-in-aid, including cost of attendance, awarded
73 to an intercollegiate athlete by a postsecondary educational
74 institution is not compensation for the purposes of this
75 subsection, and may not be revoked or reduced as a result of an
76 intercollegiate athlete earning compensation or obtaining
77 professional representation under this subsection.

78 (f) An intercollegiate athlete under 18 years of age must
79 have any contract for compensation for the use of her or his
80 name, image, or likeness approved under ss. 743.08 and 743.09.

81 (g) An intercollegiate athlete's contract for compensation
82 for the use of her or his name, image, or likeness may not
83 violate this subsection.

84 (h) An intercollegiate athlete may not enter into a
85 contract for compensation for the use of her or his name, image,
86 or likeness if a term of the contract conflicts with a term of
87 the intercollegiate athlete's team contract. A postsecondary

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88 educational institution asserting a conflict under this
89 paragraph must disclose each relevant contract term that
90 conflicts with the team contract to the intercollegiate athlete
91 or her or his representative.

92 (i) An intercollegiate athlete who enters into a contract
93 for compensation for the use of her or his name, image, or
94 likeness shall disclose the contract to the postsecondary
95 educational institution at which she or he is enrolled, in a
96 manner designated by the institution.

97 (j) The duration of a contract for representation of an
98 intercollegiate athlete or compensation for the use of an
99 intercollegiate athlete's name, image, or likeness may not
100 extend beyond her or his participation in an athletic program at
101 a postsecondary educational institution.

102 (k) Each postsecondary educational institution shall:

103 1.a. Maintain for each intercollegiate athlete health
104 insurance and disability insurance that meets the requirements
105 of sub-subparagraphs c. and d., respectively, by:

106 (I) Verifying that the intercollegiate athlete is provided
107 the benefits required by this section by her or his own
108 insurance or insurance provided by an immediate family member;

109 (II) Providing insurance covering the intercollegiate
110 athlete;

111 (III) Participating in an insurance program, which
112 provides at least the benefits required by this section, offered

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113 by an intercollegiate athletics sanctioning body or
114 intercollegiate athletics association of which the postsecondary
115 educational institution is a member; or

116 (IV) Any combination of sub-sub-subparagraphs (I)-(III).

117 b. If the intercollegiate athlete's insurance under sub-
118 sub-subparagraph (I) lapses or does not provide the required
119 medical benefits, the postsecondary educational institution must
120 provide coverage under sub-sub-subparagraph (II) or sub-sub-
121 subparagraph (III), or a combination thereof, beginning with the
122 first dollar of a claim. If coverage is secured under sub-sub-
123 subparagraph (I), any deductible, copay, or coinsurance amounts
124 must be paid by the postsecondary educational institution or an
125 intercollegiate athletics association, conference, or
126 organization of which the postsecondary educational institution
127 is a member. If coverage is secured under sub-sub-subparagraph
128 (II) or sub-sub-subparagraph (III), or a combination thereof,
129 the entire premium and any deductible, copay, or coinsurance
130 amounts must be paid by the postsecondary educational
131 institution or an intercollegiate athletics association,
132 conference, or organization of which the postsecondary
133 educational institution is a member.

134 c. Health insurance under sub-subparagraph a. must include
135 dental benefits for dental conditions related to the injury,
136 medically necessary emergency and nonemergency medical
137 transportation, professional and nonprofessional attendant care,

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138 prosthetics, orthotics, durable medical equipment, and medically
139 necessary physical rehabilitation and vocational rehabilitation
140 benefits.

141 d. Disability insurance under sub-subparagraphs a. must
142 provide at least \$400 per month for the first 12 months of total
143 disability and \$2,700 per month for each month of total
144 disability beyond the first 12 months of total disability; at
145 least \$270 per month for the first 12 months of partial
146 disability and \$1,800 per month for each month of partial
147 disability beyond the first 12 months of partial disability; and
148 a death benefit of at least \$25,000.

149 2. Provide an intercollegiate athlete who was receiving
150 athletic related grant-in-aid and is in good standing, an
151 equivalent grant-in-aid for:

152 a. Up to one academic year or until the intercollegiate
153 athlete completes her or his primary undergraduate degree,
154 whichever is shorter, if the intercollegiate athlete has
155 exhausted athletic eligibility.

156 b. Up to five academic years or until the intercollegiate
157 athlete completes her or his primary undergraduate degree,
158 whichever is shorter, if the intercollegiate athlete suffered an
159 injury, and an independent physician with a specialty
160 appropriate to each applicable injury determines that she or he
161 is medically ineligible to participate in intercollegiate
162 athletics.

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163 3. Conduct a financial literacy and life skills workshop
164 for a minimum of 5 hours at the beginning of the intercollegiate
165 athlete's first and third academic years. The workshop shall, at
166 a minimum, include information concerning financial aid, debt
167 management, and a recommended budget for full and partial grant-
168 in-aid intercollegiate athletes based on the current academic
169 year's cost of attendance. The workshop shall also include
170 information on time management skills necessary for success as
171 an intercollegiate athlete and available academic resources. The
172 workshop may not include any marketing, advertising, referral,
173 or solicitation by providers of financial products or services.

174 (3) LIMITATIONS.-

175 (a) This section does not require the medical treatment of
176 a preexisting medical condition except to the extent that the
177 preexisting medical condition is aggravated by the injury or
178 treatment of the preexisting medical condition is medically
179 necessary to the treatment of the injury.

180 (b) State funds may not be used to comply with the
181 requirements of this section.

182 (c) An injury must be reported by the earlier of the 30th
183 day after occurrence of the injury, the 30th day after the
184 intercollegiate athlete knew or should have known that an injury
185 existed, or 2 years after the intercollegiate athlete separates
186 from the postsecondary educational institution.

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187 (d) An intercollegiate athlete's claim for benefits
188 related to an injury is barred after 2 years after the report of
189 injury or 2 years after provision of compensable medical
190 treatment, whichever is later.

191 (e) For a former intercollegiate athlete receiving
192 disability compensation benefits under this section who is
193 earning wages while receiving such benefits or is determined by
194 a functional capacity expert to be capable of earning wages,
195 beginning 12 months after the date of the injury, the benefit
196 shall be reduced by an amount equal to one half of the former
197 intercollegiate athlete's after tax earnings in excess of the
198 base amount. The base amount shall be \$1,000 for the first 12
199 months the reduction provided by this paragraph is applied and
200 shall increase by 2.5 percent annually thereafter. If the former
201 intercollegiate athlete is determined by a functional capacity
202 expert to have a wage earning capacity, but is not earning
203 wages, the disability compensation benefit shall be reduced by
204 one-half for any period more than 12 months after the date of
205 the injury that the former intercollegiate athlete is not
206 earning wages, unless the former intercollegiate athlete
207 documents her or his employment search, which must include at
208 least four employment applications submitted monthly.

209 (4) REGULATIONS AND RULES.—The Board of Governors and the
210 State Board of Education shall adopt regulations and rules,
211 respectively, to implement this section.

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212 Section 2. Paragraph (d) of subsection (6) of section
213 212.20, Florida Statutes, is amended to read:

214 212.20 Funds collected, disposition; additional powers of
215 department; operational expense; refund of taxes adjudicated
216 unconstitutionally collected.—

217 (6) Distribution of all proceeds under this chapter and
218 ss. 202.18(1)(b) and (2)(b) and 203.01(1)(a)3. is as follows:

219 (d) The proceeds of all other taxes and fees imposed
220 pursuant to this chapter or remitted pursuant to s. 202.18(1)(b)
221 and (2)(b) shall be distributed as follows:

222 1. In any fiscal year, the greater of \$500 million, minus
223 an amount equal to 4.6 percent of the proceeds of the taxes
224 collected pursuant to chapter 201, or 5.2 percent of all other
225 taxes and fees imposed pursuant to this chapter or remitted
226 pursuant to s. 202.18(1)(b) and (2)(b) shall be deposited in
227 monthly installments into the General Revenue Fund.

228 2. After the distribution under subparagraph 1., 8.9744
229 percent of the amount remitted by a sales tax dealer located
230 within a participating county pursuant to s. 218.61 shall be
231 transferred into the Local Government Half-cent Sales Tax
232 Clearing Trust Fund. Beginning July 1, 2003, the amount to be
233 transferred shall be reduced by 0.1 percent, and the department
234 shall distribute this amount to the Public Employees Relations
235 Commission Trust Fund less \$5,000 each month, which shall be

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236 added to the amount calculated in subparagraph 3. and
237 distributed accordingly.

238 3. After the distribution under subparagraphs 1. and 2.,
239 0.0966 percent shall be transferred to the Local Government
240 Half-cent Sales Tax Clearing Trust Fund and distributed pursuant
241 to s. 218.65.

242 4. After the distributions under subparagraphs 1., 2., and
243 3., 2.0810 percent of the available proceeds shall be
244 transferred monthly to the Revenue Sharing Trust Fund for
245 Counties pursuant to s. 218.215.

246 5. After the distributions under subparagraphs 1., 2., and
247 3., 1.3653 percent of the available proceeds shall be
248 transferred monthly to the Revenue Sharing Trust Fund for
249 Municipalities pursuant to s. 218.215. If the total revenue to
250 be distributed pursuant to this subparagraph is at least as
251 great as the amount due from the Revenue Sharing Trust Fund for
252 Municipalities and the former Municipal Financial Assistance
253 Trust Fund in state fiscal year 1999-2000, no municipality shall
254 receive less than the amount due from the Revenue Sharing Trust
255 Fund for Municipalities and the former Municipal Financial
256 Assistance Trust Fund in state fiscal year 1999-2000. If the
257 total proceeds to be distributed are less than the amount
258 received in combination from the Revenue Sharing Trust Fund for
259 Municipalities and the former Municipal Financial Assistance
260 Trust Fund in state fiscal year 1999-2000, each municipality

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261 shall receive an amount proportionate to the amount it was due
262 in state fiscal year 1999-2000.

263 6. Of the remaining proceeds:

264 a. In each fiscal year, the sum of \$29,915,500 shall be
265 divided into as many equal parts as there are counties in the
266 state, and one part shall be distributed to each county. The
267 distribution among the several counties must begin each fiscal
268 year on or before January 5th and continue monthly for a total
269 of 4 months. If a local or special law required that any moneys
270 accruing to a county in fiscal year 1999-2000 under the then-
271 existing provisions of s. 550.135 be paid directly to the
272 district school board, special district, or a municipal
273 government, such payment must continue until the local or
274 special law is amended or repealed. The state covenants with
275 holders of bonds or other instruments of indebtedness issued by
276 local governments, special districts, or district school boards
277 before July 1, 2000, that it is not the intent of this
278 subparagraph to adversely affect the rights of those holders or
279 relieve local governments, special districts, or district school
280 boards of the duty to meet their obligations as a result of
281 previous pledges or assignments or trusts entered into which
282 obligated funds received from the distribution to county
283 governments under then-existing s. 550.135. This distribution
284 specifically is in lieu of funds distributed under s. 550.135
285 before July 1, 2000.

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286 b.(I) The department shall distribute \$166,667 monthly to
287 each applicant certified as a facility for a new or retained
288 professional sports franchise pursuant to s. 288.1162. Up to
289 \$41,667 shall be distributed monthly by the department to each
290 certified applicant as defined in s. 288.11621 for a facility
291 for a spring training franchise. However, not more than \$416,670
292 may be distributed monthly in the aggregate to all certified
293 applicants for facilities for spring training franchises.
294 Distributions begin 60 days after such certification and
295 continue for not more than 30 years, except as otherwise
296 provided in s. 288.11621. A certified applicant identified in
297 this sub-subparagraph may not receive more in distributions than
298 expended by the applicant for the public purposes provided in s.
299 288.1162(5) or s. 288.11621(3).

300 (II) A certified applicant whose:

301 (A) Sports franchise is a part of the National Football
302 League must allow student athletes directly out of high school
303 to enter the NFL Draft and ensure that the National Collegiate
304 Athletic Association expands its College Football Playoff to an
305 eight team playoff structure to maintain its eligibility for
306 funds under this section.

307 (B) Sports franchise is a part of Major League Baseball
308 must require the Commissioner of Major League Baseball to
309 reinstate Pete Rose into the league, to ensure his selection
310 into the National Baseball Hall of Fame, and ensure that Major

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311 League Baseball repeals the Designated Hitter Rule, to maintain
312 its eligibility for funds under this section.

313 (C) Sports franchise is a part of the National Basketball
314 Association must allow student athletes directly out of high
315 school to enter the NBA Draft and ensure that the National
316 Basketball Association implements a 4-point line to maintain its
317 eligibility for funds under this section.

318 (D) Sports franchise is part of the Professional Golfers'
319 Association must ensure that the state hosts a United States
320 Open Championship to maintain its eligibility for funds under
321 this section.

322 c. Beginning 30 days after notice by the Department of
323 Economic Opportunity to the Department of Revenue that an
324 applicant has been certified as the professional golf hall of
325 fame pursuant to s. 288.1168 and is open to the public, \$166,667
326 shall be distributed monthly, for up to 300 months, to the
327 applicant.

328 d. Beginning 30 days after notice by the Department of
329 Economic Opportunity to the Department of Revenue that the
330 applicant has been certified as the International Game Fish
331 Association World Center facility pursuant to s. 288.1169, and
332 the facility is open to the public, \$83,333 shall be distributed
333 monthly, for up to 168 months, to the applicant. This
334 distribution is subject to reduction pursuant to s. 288.1169. A

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335 lump sum payment of \$999,996 shall be made after certification
336 and before July 1, 2000.

337 e. The department shall distribute up to \$83,333 monthly
338 to each certified applicant as defined in s. 288.11631 for a
339 facility used by a single spring training franchise, or up to
340 \$166,667 monthly to each certified applicant as defined in s.
341 288.11631 for a facility used by more than one spring training
342 franchise. Monthly distributions begin 60 days after such
343 certification or July 1, 2016, whichever is later, and continue
344 for not more than 20 years to each certified applicant as
345 defined in s. 288.11631 for a facility used by a single spring
346 training franchise or not more than 25 years to each certified
347 applicant as defined in s. 288.11631 for a facility used by more
348 than one spring training franchise. A certified applicant
349 identified in this sub-subparagraph may not receive more in
350 distributions than expended by the applicant for the public
351 purposes provided in s. 288.11631(3).

352 f. Beginning 45 days after notice by the Department of
353 Economic Opportunity to the Department of Revenue that an
354 applicant has been approved by the Legislature and certified by
355 the Department of Economic Opportunity under s. 288.11625 or
356 upon a date specified by the Department of Economic Opportunity
357 as provided under s. 288.11625(6)(d), the department shall
358 distribute each month an amount equal to one-twelfth of the
359 annual distribution amount certified by the Department of

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360 Economic Opportunity for the applicant. The department may not
361 distribute more than \$7 million in the 2014-2015 fiscal year or
362 more than \$13 million annually thereafter under this sub-
363 subparagraph.

364 g. Beginning December 1, 2015, and ending June 30, 2016,
365 the department shall distribute \$26,286 monthly to the State
366 Transportation Trust Fund. Beginning July 1, 2016, the
367 department shall distribute \$15,333 monthly to the State
368 Transportation Trust Fund.

369 7. All other proceeds must remain in the General Revenue
370 Fund.

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T I T L E A M E N D M E N T

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Remove lines 37-42 and insert:

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beyond a specified timeframe; requiring postsecondary
376 educational institutions to maintain certain insurance
377 for intercollegiate athletes; providing requirements
378 for such insurance; requiring postsecondary

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educational institutions to provide specified grant-
380 in-aid to intercollegiate athletes under certain

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circumstances and provide a specified workshop;

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providing requirements for such grant-in-aid and

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workshop; providing applicability; prohibiting the use

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of state funds for specified purposes; providing

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385 requirements for reporting certain injuries and claims
386 for benefits related to certain injuries; providing
387 requirements for certain disability compensation
388 benefits; requiring the Board of Governors and the
389 State Board of Education to adopt regulations and
390 rules, respectively; amending s. 212.20, F.S.;
391 requiring certain entities relating to professional
392 sports franchises to meet specified requirements to
393 remain eligible for certain state funds; amending s.
394 468.453, F.S.;

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