

CONFERENCE COMMITTEE REPORT

MR. SPEAKER and MR. PRESIDENT: Your committee on conference on Senate amendments to **HB 2138** submits the following report:

The House accedes to all Senate amendments to the bill, and your committee on conference further agrees to amend the bill as printed as Senate Substitute for House Bill No. 2138, as follows:

On page 2, following line 2, by inserting:

"New Sec. 2. (a) If the association enters into or renews an exclusive broadcast agreement for a regular season activity or postseason activity, such agreement shall not prohibit local broadcasters from broadcasting a school's regular season activity or postseason activity if the local broadcasters:

- (1) Provide broadcast services for the school that is participating in the postseason activity;
- (2) broadcast at least $\frac{1}{3}$ of the events of such activity during the regular season; and
- (3) entered into valid broadcast agreements to broadcast the events of the activity during the regular season.

(b) The provisions of this section shall not prohibit the association from requiring local broadcasters to enter into regular season or postseason broadcast agreements with stipulations that may include, but are not limited to:

- (1) Reasonable compensation for broadcasts, except that no fee shall be charged for such broadcasts;
- (2) approval by host site;
- (3) limitations on organizations that are permitted to sponsor part of the broadcast; and
- (4) requirements for competent and professional announcers.

(c) As used in this section:

(1) "Activity" and "activities" mean the same as defined in K.S.A. 72-7117, and amendments thereto.

(2) "Association" means the state high school activities association or any association authorized by K.S.A. 72-7114, and amendments thereto.

(3) "Broadcast" means the live or recorded audio or video transmission of an activity, play-by-play or similar accounts of such activity via radio, television, internet or other technologies.

(4) "Exclusive broadcast agreement" means an agreement entered into between the association and an organization to broadcast association activities under which such organization retains sole rights to broadcast such activities or first right to broadcast such activities.

(5) "Local broadcaster" means an organization, located in Kansas, that provides local broadcast services for any activity of a local school. "Local broadcaster" includes a student organized broadcast that is offered as an educational course or program by the school.

(6) "Organization" means an individual, public or private corporation, partnership, limited liability company, association, joint venture or any other legal or commercial entity.

(7) "Postseason activity" means an association-sponsored activity that occurs after the regular season is complete, including individual games and tournaments.";

And by renumbering sections accordingly;

On page 1, in the title, in line 3, after the semicolon by inserting "requiring contracts for exclusive broadcasts of state high school activities association activities to permit certain local broadcasts;"

And your committee on conference recommends the adoption of this report.

Conferees on part of Senate

Conferees on part of House