

# HOUSE BILL 548

P4, F2

9lr0672

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By: **Delegates Lierman, Barron, Acevero, Atterbeary, W. Fisher, Hettleman, Hornberger, Ivey, Korman, J. Lewis, R. Lewis, Love, Luedtke, Stewart, Valderrama, Washington, Wells, Wilkins, and P. Young**

Introduced and read first time: February 4, 2019

Assigned to: Appropriations

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## A BILL ENTITLED

1 AN ACT concerning

2 **Collective Bargaining – Student Athletes**

3 FOR the purpose of requiring the State Higher Education Labor Relations Board to adopt  
4 regulations authorizing and establishing a process for collective bargaining for  
5 student athletes on or before a certain date; altering a certain definition; defining  
6 certain terms; and generally relating to collective bargaining for student athletes at  
7 public institutions of higher education.

8 BY repealing and reenacting, without amendments,  
9 Article – State Personnel and Pensions  
10 Section 3–101(a) and (g)  
11 Annotated Code of Maryland  
12 (2015 Replacement Volume and 2018 Supplement)

13 BY repealing and reenacting, with amendments,  
14 Article – State Personnel and Pensions  
15 Section 3–101(b)  
16 Annotated Code of Maryland  
17 (2015 Replacement Volume and 2018 Supplement)

18 BY adding to  
19 Article – State Personnel and Pensions  
20 Section 3–2A–10  
21 Annotated Code of Maryland  
22 (2015 Replacement Volume and 2018 Supplement)

23 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,  
24 That the Laws of Maryland read as follows:

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EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



**Article – State Personnel and Pensions**

1  
2 3–101.

3 (a) In this title the following words have the meanings indicated.

4 (b) “Board” means:

5 (1) with regard to any matter relating to employees of any of the units of  
6 State government described in § 3–102(a)(1)(i) through (iv) and (vi) through (x) of this  
7 subtitle and employees described in § 3–102(a)(2) of this subtitle, the State Labor Relations  
8 Board; and

9 (2) with regard to any matter relating to employees of any State institution  
10 of higher education described in § 3–102(a)(1)(v) of this subtitle **OR A STUDENT ATHLETE**  
11 **DESCRIBED IN § 3–2A–10(A)(3) OF THIS TITLE**, the State Higher Education Labor  
12 Relations Board.

13 (g) “System institution” means:

14 (1) a constituent institution, as defined in § 12–101 of the Education  
15 Article;

16 (2) a center or institute, as those terms are defined in § 12–101 of the  
17 Education Article; and

18 (3) the University System of Maryland Office.

19 **3–2A–10.**

20 (A) (1) **IN THIS SECTION THE FOLLOWING WORDS HAVE THE MEANINGS**  
21 **INDICATED.**

22 (2) **“COLLECTIVE BARGAINING” MEANS:**

23 (I) **GOOD FAITH NEGOTIATIONS BY AN AUTHORIZED**  
24 **REPRESENTATIVE OF STUDENT ATHLETES AND AN INSTITUTION OF HIGHER**  
25 **EDUCATION WITH THE INTENTION OF:**

26 1. **A. REACHING AN AGREEMENT ABOUT**  
27 **SCHOLARSHIP TERMS, HEALTH INSURANCE BENEFITS, USE OF A STUDENT**  
28 **ATHLETE’S IMAGE OR LIKENESS, THE ESTABLISHMENT OF AN INDEPENDENT**  
29 **STUDENT ATHLETE ADVOCATE AT EACH INSTITUTION, AND THE DUTIES OF THE**  
30 **INDEPENDENT STUDENT ATHLETE ADVOCATE AT THE INSTITUTION; AND**

1                           **B. INCORPORATING THE TERMS OF THE AGREEMENT IN**  
2 **A WRITTEN MEMORANDUM OF UNDERSTANDING OR OTHER WRITTEN**  
3 **UNDERSTANDING; OR**

4                           **2. CLARIFYING TERMS AND CONDITIONS OF BEING A**  
5 **STUDENT ATHLETE;**

6                           **(II) ADMINISTRATION OF TERMS AND CONDITIONS OF BEING A**  
7 **STUDENT ATHLETE; OR**

8                           **(III) THE VOLUNTARY ADJUSTMENT OF A DISPUTE OR**  
9 **DISAGREEMENT BETWEEN AN AUTHORIZED REPRESENTATIVE OF STUDENT**  
10 **ATHLETES AND AN INSTITUTION OF HIGHER EDUCATION THAT ARISES UNDER A**  
11 **MEMORANDUM OF UNDERSTANDING OR OTHER WRITTEN UNDERSTANDING.**

12                           **(3) “STUDENT ATHLETE” MEANS A STUDENT WHO PARTICIPATES IN**  
13 **AN INTERCOLLEGIATE ATHLETIC PROGRAM AT A SYSTEM INSTITUTION, MORGAN**  
14 **STATE UNIVERSITY, ST. MARY’S COLLEGE OF MARYLAND, OR BALTIMORE CITY**  
15 **COMMUNITY COLLEGE.**

16                           **(B) ON OR BEFORE JULY 1, 2020, THE BOARD SHALL ADOPT REGULATIONS**  
17 **AUTHORIZING AND ESTABLISHING A PROCESS FOR COLLECTIVE BARGAINING FOR**  
18 **STUDENT ATHLETES.**

19                           **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect July**  
20 **1, 2019.**