



Public Law 93-107  
 93rd Congress, S. 1841  
 September 14, 1973

**An Act**

To amend the Communications Act of 1934 with regard to the broadcasting of certain professional sports clubs' games.

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That part I of title III of the Communications Act of 1934 is amended by adding at the end thereof the following new section :

“BROADCAST OF GAMES OF PROFESSIONAL SPORTS CLUBS

“SEC. 331. (a) If any game of a professional sports club is to be broadcast by means of television pursuant to a league television contract and all tickets of admission for seats at such game which were available for purchase by the general public one hundred and twenty hours or more before the scheduled beginning time of such game have been purchased seventy-two hours or more before such time, no agreement which would prevent the broadcasting by means of television of such game at the same time and in the area in which such game is being played shall be valid or have any force or effect. The right to broadcast such game by means of television at such time and in such area shall be made available, by the person or persons having such right, to a television broadcast licensee on reasonable terms and conditions unless the broadcasting by means of television of such game at such time and in such area would be a telecasting which section 3 of Public Law 87-331, as amended (15 U.S.C. 1293), is intended to prevent.

“(b) If any person violates subsection (a) of this section, any interested person may commence a civil action for injunctive relief restraining such violation in any United States district court for a district in which the defendant resides or has an agent. In any such action, the court may award the cost of the suit including reasonable attorneys' fees.

“(c) For the purposes of this section :

“(1) The term ‘professional sports club’ includes any professional football, baseball, basketball, or hockey club.

“(2) The term ‘league television contract’ means any joint agreement by or among professional sports clubs by which any league of such clubs sells or otherwise transfers all or any part of the rights of such league's member clubs in the sponsored telecasting of the games engaged in or conducted by such clubs.

“(3) The term ‘agreement’ includes any contract, arrangement, or other understanding.

“(4) The term ‘available for purchase by the general public’, when used with respect to tickets of admission for seats at a game or games to be played by a professional sports club, means only those tickets on sale at the stadium where such game or games are to be played, or, if such tickets are not sold at such stadium, only those tickets on sale at the box office closest to such stadium.

Certain professional sports clubs' games.  
 Broadcasting.  
 76 Stat. 151.  
 47 USC 330.

87 STAT. 350  
 87 STAT. 351

75 Stat. 732;  
 80 Stat. 1515.  
 Injunctive relief.

Definitions.

Study, report  
to congress-  
sional com-  
mittees.

“(d) The Commission shall conduct a continuing study of the effect of this section and shall, not later than April 15 of each year, submit a report to the Committee on Commerce of the Senate and the Committee on Interstate and Foreign Commerce of the House of Representatives with respect thereto. Such report shall include pertinent statistics and data and any recommendations for legislation relating to the broadcasting of professional football, baseball, basketball, and hockey games which the Commission determines would serve the public interest.”

Repeal.

SEC. 2. Section 331 of the Communications Act of 1934 (as added by the first section of this Act) is repealed effective December 31, 1975.

Approved September 14, 1973.

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LEGISLATIVE HISTORY:

HOUSE REPORT No. 93-483 accompanying H.R. 9553 (Comm. on Interstate and Foreign Commerce).

SENATE REPORT No. 93-347 (Comm. on Commerce).

CONGRESSIONAL RECORD, Vol. 119 (1973):

Sept. 6, considered and passed Senate.

Sept. 13, considered and passed House, amended, in lieu of H.R. 9553; Senate concurred in House amendments.