

104TH CONGRESS  
1ST SESSION

# H. R. 120

To apply the antitrust laws of the United States to major league baseball.

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IN THE HOUSE OF REPRESENTATIVES

JANUARY 4, 1995

Mr. BUNNING of Kentucky (for himself and Mr. BILIRAKIS) introduced the following bill; which was referred to the Committee on the Judiciary

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## A BILL

To apply the antitrust laws of the United States to major league baseball.

1 *Be it enacted by the Senate and House of Representa-*  
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Baseball Fans and  
5 Communities Protection Act of 1995”.

6 **SEC. 2. APPLICATION OF THE ANTITRUST LAWS TO MAJOR**  
7 **LEAGUE BASEBALL IN EXCEPTIONAL AND EX-**  
8 **TRAORDINARY CIRCUMSTANCES.**

9 The Clayton Act (15 U.S.C. 12 et seq.) is amended  
10 by adding at the end the following:

1       “SEC. 27. (a) If unilateral terms and conditions of  
2 employment in restraint of trade or commerce are imposed  
3 by any party that has been subject to an agreement be-  
4 tween 2 or more major league baseball clubs and the labor  
5 organization representing the players of major league  
6 baseball, such unilateral imposition shall be subject to the  
7 antitrust laws.

8       “(b) Subsection (a) shall not apply to a term or con-  
9 dition imposed solely with respect to a professional base-  
10 ball player who is a party to a uniform player contract  
11 that is assigned, at the time the imposition described in  
12 such subsection occurs, to a baseball club that is not a  
13 major league professional baseball club.

14       “(c) This section shall not be construed to modify,  
15 impair, or supersede the operation of—

16               “(1) the Act of September 30, 1961 (Public  
17 Law 87-331; 15 U.S.C. 1291 et seq.), or

18               “(2) any Federal statute relating to labor  
19 relations.

20       “(d) For purposes of this section, the term ‘terms  
21 and conditions’ does not include a strike or a lockout.”.

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