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(Original Signature of Member)

117TH CONGRESS  
2D SESSION

**H. R.** \_\_\_\_\_

To establish certain conditions and requirements relating to the relocation of professional sports teams, and for other purposes.

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IN THE HOUSE OF REPRESENTATIVES

Mr. TONY GONZALES of Texas introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To establish certain conditions and requirements relating to the relocation of professional sports teams, and for other purposes.

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 “Strengthening Public  
5 Undertakings for Retaining Sports Act” or the “SPURS  
6 Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1           (1) The name of a professional sports team al-  
2 ways is linked to the name of the community in  
3 which the team is located.

4           (2) Communities, sports fans, and taxpayers  
5 make a substantial and valuable financial, psycho-  
6 logical, and emotional investment in professional  
7 sports teams and names of teams.

8           (3) Communities receive substantial tax reve-  
9 nues and employment opportunities from the oper-  
10 ation of professional sports teams.

11           (4) The public, through a municipal stadium or  
12 arena authority (which may be a city or county  
13 agency or a municipal corporation), often authorizes  
14 capital construction bonds to build a stadium or  
15 arena for a professional sports team, while the lease  
16 or use agreement generally sets rent to cover only  
17 operating costs of the stadium or arena without re-  
18 imbursing the public for construction costs.

19           (5) A professional sports team that wishes to  
20 relocate the operations of the team to another area  
21 should take into account the social and community  
22 needs of the community in which the team operates.

23           (6) Professional sports teams promote civic  
24 pride and generate jobs, revenue, and other local  
25 economic development.

1           (7) Professional sports teams remain in com-  
2           munities for generations and represent much more  
3           than a business.

4           (8) Current law does not protect the rights of  
5           sports fans or the interests of communities when  
6           professional sports teams decide to relocate.

7           (9) Owners of professional sports teams have  
8           opportunities to extract enormous benefits from  
9           communities and owners take advantage of those op-  
10          portunities.

11 **SEC. 3. PROHIBITION ON RELOCATION.**

12          A professional sports team may not relocate unless  
13 each of the following conditions is met:

14           (1) One or more of the parties, other than the  
15           professional sports team, to the stadium or arena  
16           lease agreement of the professional sports team has  
17           failed to comply with a provision of material signifi-  
18           cance to such stadium or arena lease agreement and  
19           such failure to comply cannot be remedied within a  
20           reasonable period of time.

21           (2) The stadium or arena in which the profes-  
22           sional sports team plays regular season and playoff  
23           home games is inadequate for the purposes of prop-  
24           erly and competitively operating the professional  
25           sports team, and the entity that owns or operates

1 such stadium or arena has failed to demonstrate in-  
2 tent to remedy the inadequacy of such stadium or  
3 arena within a reasonable period of time.

4 (3) The professional sports team has incurred  
5 an annual net loss for not fewer than five years  
6 prior to the proposed relocation.

7 (4) The government authority that is party to  
8 the stadium or arena lease agreement described in  
9 paragraph (1) has not made a formal objection to  
10 the proposed relocation by the date that is 1 year  
11 after the date on which an owner of the professional  
12 sports team submits a petition for relocation under  
13 section 5(a).

14 **SEC. 4. RIGHT OF FIRST REFUSAL.**

15 In any case in which an owner of a professional  
16 sports team submits a petition for relocation under section  
17 5(a), such owner shall, until the date that is 1 year after  
18 the date on which such owner submits such petition, offer  
19 the professional sports team for sale at fair market value  
20 to other persons who would not relocate the professional  
21 sports team before such petition may be approved.

22 **SEC. 5. REQUIREMENTS FOR RELOCATION.**

23 (a) **PETITION FOR RELOCATION.**—An owner of a pro-  
24 fessional sports team who intends to relocate the profes-

1 sional sports team shall submit a petition for relocation  
2 as follows:

3 (1) Such owner shall submit such petition to  
4 the government authority that is party to the sta-  
5 dium or arena lease agreement described in section  
6 3(1) at least 1 year before the proposed relocation  
7 may be approved by such government authority  
8 under subsection (b).

9 (2) Such petition shall be in writing and sent  
10 by certified mail or delivered to such government au-  
11 thority personally.

12 (3) Such petition shall contain the following:

13 (A) A statement detailing the intent to re-  
14 locate, the conditions justifying the proposed re-  
15 location, and the new location.

16 (B) Documentation that supports the ex-  
17 istence of the conditions justifying the proposed  
18 relocation.

19 (C) The date on which the owner of the  
20 professional sports team intends for the pro-  
21 posed relocation to occur.

22 (b) REVIEW BY GOVERNMENT AUTHORITY.—

23 (1) REVIEW.—An owner of a professional  
24 sports team may not relocate the professional sports  
25 team unless a petition for the relocation of the pro-

1 professional sports team submitted under subsection (a)  
2 has been formally approved by the government au-  
3 thority in writing.

4 (2) DEADLINE FOR ACTION.— A government  
5 authority to which a petition is submitted under sub-  
6 section (a) shall approve or deny such petition not  
7 later than 180 days after the date on which such pe-  
8 tition is submitted.

9 **SEC. 6. REQUIRED REIMBURSEMENT TO STATE AND LOCAL**  
10 **GOVERNMENT FOR VALUE OF FINANCIAL AS-**  
11 **SISTANCE RECEIVED.**

12 (a) REQUIRED REIMBURSEMENT.—If an owner of a  
13 professional sports team relocates such professional sports  
14 team from one stadium or arena to another stadium or  
15 arena (including a stadium or arena located in the same  
16 metropolitan area in which the previous stadium or arena  
17 is located) and, in so relocating such professional sports  
18 team, such owner breaches a contract with a State or local  
19 government with respect to use of the previous stadium  
20 or arena, such owner shall (not later than 30 days after  
21 the date on which such professional sports team plays the  
22 first regular season home game in the new stadium or  
23 arena) pay to such State or local government an amount  
24 equal to the value of any financial assistance provided to

1 such professional sports team by such State or local gov-  
2 ernment.

3 (b) EXCEPTION.—The requirement described in sub-  
4 section (a) does not apply to a breach of a contract that  
5 provides as a remedy for such breach recovery of any fi-  
6 nancial assistance provided to the professional sports team  
7 by the State or local government.

8 (c) PENALTY.—An owner of a professional sports  
9 team that fails to meet the requirement described in sub-  
10 section (a) is liable in a civil action under section 7 to  
11 the State or local government that provided to the profes-  
12 sional sports team the financial assistance described in  
13 such subsection for damages in an amount equal to three  
14 times the value of such financial assistance.

15 **SEC. 7. PRIVATE RIGHT OF ACTION BY STATE OR LOCAL**  
16 **GOVERNMENT.**

17 A State or local government may bring a civil action  
18 in an appropriate district court of the United States  
19 against a professional sports team that violates section 3  
20 or an owner of a professional sports team that violates  
21 section 4, 5, or 6 to obtain damages, if—

22 (1) the State or local government has provided,  
23 or has been requested to provide, financial assist-  
24 ance, including tax abatement, to the professional  
25 sports team or the existing or proposed stadium or

1 arena in which the professional sports team plays or  
2 is proposed to play regular season and playoff home  
3 games; or

4 (2) the jurisdiction of the State or local govern-  
5 ment includes or is included within, in whole or in  
6 part, the metropolitan area in which the professional  
7 sports team plays regular season and playoff home  
8 games.

9 **SEC. 8. APPLICABILITY.**

10 Sections 3, 4, and 5 only apply with respect to a pro-  
11 fessional sports team that has a stadium or arena lease  
12 agreement with a government authority.

13 **SEC. 9. DEFINITIONS.**

14 In this Act:

15 (1) **FINANCIAL ASSISTANCE.**—The term “finan-  
16 cial assistance” includes special tax treatment and  
17 financing of a stadium or arena in which a profes-  
18 sional sports team plays regular season and playoff  
19 home games.

20 (2) **GOVERNMENT AUTHORITY.**—The term  
21 “government authority” means any unit of local gov-  
22 ernment or other government agency or authority  
23 that—

24 (A) owns, operates, or has a financial in-  
25 terest in a stadium or arena used by a profes-



1           sional sports team to play regular season and  
2           playoff home games; or

3           (B) exercises regulatory authority with re-  
4           spect to a professional sports team.

5           (3) PROFESSIONAL SPORTS TEAM.—The term  
6           “professional sports team” means a major league  
7           team in an organized professional sport.

8           (4) RELOCATE.—The term “relocate” means—

9           (A) to move the location in which a profes-  
10          sional sports team plays regular season and  
11          playoff home games from a metropolitan area  
12          to a different metropolitan area; or

13          (B) to move such location within a metro-  
14          politan area if the professional sports team falls  
15          under the jurisdiction of a different government  
16          authority.