

justices but, nevertheless, the majority prevailed. So there is not a statute such as this that would allow a clearly defined right of action to exist for the university when it feels that it has been punished through a violation of due process. If you belong to a private association yourself and all of you put money into it, and somebody took the money, you wouldn't want somebody to tell you, well, since this is a private association, you take your risks. If you got in with thieves, that's just the risk that you take. If they were supposed to handle the money prudently and did not, then you wouldn't have an action to make sure that they handled that money properly. Such is not the case. There are other private associations that are amenable to the laws of this state right now. It wouldn't have been necessary to have this bill had not the U.S. Supreme Court said that the NCAA does not need to comply with federal laws and statutes. So this bill does not change an NCAA rule, it does not alter their internal structure. All that it says, no matter how you read it, is that the law comes into place only if a violation of due process occurs. If the NCAA conducts a fair hearing, then they don't have to worry about running afoul of this law. But should the university disagree with the NCAA and take it to court, then the court...

SPEAKER BARRETT: One minute.

SENATOR CHAMBERS: ...would make that determination. They would look at all of the proceedings that the NCAA went through to make sure that they were fair, that the one accused had every opportunity to have access to all of the evidence used against him or her, that the punishment was geared to the offense that has been alleged, that the method of investigation, the method of making findings, the method of appeal, all those things would have to be fair. And if that is done, then there are no damages that would be awarded against the NCAA because they will have done what due process requires. Now, if you wanted to look at an article that I have, there was a case in Texas where a coach had left one school and gone to another. The NCAA wanted that second school not to hire him and threatened sanctions if they did. Under the general due process laws of Texas, this coach got an injunction in state court against the NCAA so that the...

SPEAKER BARRETT: Time has expired.

SENATOR CHAMBERS: Just to finish the sentence.