

115TH CONGRESS
1ST SESSION

H. R. 3830

To amend the Internal Revenue Code of 1986 to exclude major professional sports leagues from qualifying as tax-exempt organizations.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 26, 2017

Mr. FARENTHOLD introduced the following bill; which was referred to the Committee on Ways and Means

A BILL

To amend the Internal Revenue Code of 1986 to exclude major professional sports leagues from qualifying as tax-exempt organizations.

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 “Properly Reducing
5 Overexemptions for Sports Act” or the “PRO Sports
6 Act”.

7 **SEC. 2. FINDINGS.**

8 Congress makes the following findings:

9 (1) The National Football League (NFL), Na-
10 tional Hockey League (NHL), PGA Tour, and La-

1 dies Professional Golf Association (LPGA) each have
2 league offices that are registered with the Internal
3 Revenue Service as nonprofit organizations under
4 section 501(c)(6) of the Internal Revenue Code of
5 1986.

6 (2) League-wide operations of the NFL, NHL,
7 PGA Tour, and LPGA together generate over \$1
8 billion in annual revenue, and these businesses are
9 unmistakably organized for profit and to promote
10 their brands.

11 (3) Separate from their subsidiaries, the non-
12 profit league offices of the NFL, NHL, PGA Tour,
13 and LPGA had annual gross receipts of \$326.9 mil-
14 lion, \$41.1 million, \$1.5 billion, and \$89.1 million in
15 2010, respectively, for a combined total of over \$1.9
16 billion, according to each organization’s publicly
17 available Form 990 filed with the Internal Revenue
18 Service.

19 (4) According to the Internal Revenue Service,
20 section 501(c)(6) of the Internal Revenue Code of
21 1986 is for groups looking to promote a “common
22 business interest and not to engage in a regular
23 business of a kind ordinarily carried on for profit”.

24 (5) According to the Internal Revenue Service,
25 businesses that conduct operations for profit on a

1 “cooperative basis” should not qualify for tax-ex-
2 empt treatment under section 501(c)(6) of the Inter-
3 nal Revenue Code of 1986.

4 **SEC. 3. ELIMINATION OF SPECIFIC EXEMPTION FOR PRO-**
5 **FESSIONAL FOOTBALL LEAGUES.**

6 (a) IN GENERAL.—Paragraph (6) of section 501(c)
7 of the Internal Revenue Code of 1986 is amended—

8 (1) by striking “, or professional football
9 leagues (whether or not administering a pension
10 fund for football players)”; and

11 (2) by inserting “or” after “real-estate
12 boards,”.

13 (b) EFFECTIVE DATE.—The amendments made by
14 this section shall apply to taxable years beginning after
15 December 31, 2017.

16 **SEC. 4. SPECIAL RULES RELATING TO PROFESSIONAL**
17 **SPORTS LEAGUES.**

18 (a) IN GENERAL.—Section 501 of the Internal Rev-
19 enue Code of 1986 is amended—

20 (1) by redesignating subsection (s) as sub-
21 section (t); and

22 (2) by inserting after subsection (r) the fol-
23 lowing new subsection:

24 “(s) SPECIAL RULES RELATING TO PROFESSIONAL
25 SPORTS LEAGUES.—No organization or entity shall be

1 treated as described in subsection (e)(6) if such organiza-
2 tion or entity—

3 “(1) is a professional sports league, organiza-
4 tion, or association, a substantial activity of which is
5 to foster national or international professional sports
6 competitions (including by managing league business
7 affairs, officiating or providing referees, coordinating
8 schedules, managing sponsorships or broadcast sales,
9 operating loan programs for competition facilities, or
10 overseeing player conduct), and

11 “(2) has annual gross receipts in excess of
12 \$10,000,000.”.

13 (b) EFFECTIVE DATE.—The amendments made by
14 this section shall apply to taxable years beginning after
15 December 31, 2017.

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