

# NFL SPONSORED LEGISLATION IN CALIFORNIA TO BE CHALLENGED CONSTITUTIONALLY

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If passed, there will be a Constitutional challenge to the NFL sponsored legislation now pending in California. The NFL sponsored Bill (AB 1309) seeks to end all workers' compensation benefits for work related injuries that happen in California when NFL member franchises play in California. The NFL Bill treats athletes differently than other workers, thus violating their *Equal Protection* rights. The NFL Bill also retroactively eliminates all pending cases under existing law, thus violating their *Due Process* rights. The NFL Bill dampens *Interstate Commerce* by burdening out-of-state workers. The NFL Bill also applies a discriminatory tax system on out-of-state athletes by treating them differently than other workers.

According to the NFL's own study, the NFL Bill, if passed, could shift as much as \$2,000,000,000 per year in medical costs to the U.S. Government, the U.S. Taxpayers and Private Group Health Providers, thus giving the NFL a "full-pardon" with immunity against future medical costs for injuries caused in their industry.

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## **The Legislation – California AB 1309 (The Bill) and Legal Challenges**

The NFL has sponsored legislation in California to eliminate workers' compensation for professional athletes. The Bill as written seeks to discriminate against a small, select group of workers, single them out, punish them and then eliminate all their workers' compensation benefits, thus denying them **Equal Protection** under the law. This law also seeks to treat a certain class of workers differently than other workers, which is in violation of Constitutional protected rights.

The Bill is also egregious as it is retroactive and eliminates all existing workers' compensation claims pending under existing law, thus denying the players their **Due Process** rights under the law.

The Bill also impacts **Interstate Commerce** by placing workers at a disadvantage while working across state lines, and seeks to protect a select group of NFL owners.

## **The Bill Shifts Billions of Dollars to the U.S. Government, U.S. Taxpayers and Private Group Health Providers**

If passed, the Bill will eliminate, forever, the NFL's obligation to pay for work related injuries. However, the need for care will not be eliminated; that medical care will be shifted to the U.S. Government, U.S. Taxpayers and to Private Group Health Providers. These entities have no connection to NFL players' injuries.

## **California Applies Discriminatory Taxing Methods For Out-of-State Athletes versus Other Out-of-State Workers**

The State of California currently taxes only the professional athletes that work in California, and **does not** tax the other team employees that travel to California, such as the team owners, front office employees, team doctors and trainers.

## **The NFL Has Sued Hundreds of Former Players in Federal Court For Filing For Workers' Compensation Benefits**

The NFL has waged an all-out assault on their former players by suing hundreds of them in State and Federal court, just because they filed for benefits. The NFL has harassed and intimidated the players' families by threatening them with lawsuits for costs and damages if they do not "cease, desist, and withdraw" their California claim.