

Proponent Testimony of SB13

For the Senate Education Committee

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Chair Baumgardner and Members of the Committee, thank you for the opportunity to provide proponent testimony in support of Senate Bill 13, relating to the state high school activities association; contracts for exclusive broadcast coverage of postseason activities; permitting certain local broadcasters to cover a school's postseason activities.

For student athletes the offseason is for preparing for the regular season, the regular season is an opportunity to make the playoffs, and the playoff are where all that hard work can pay off. This is the same for the broadcasters who cover those student-athletes night in and night out.

The Postseason is an opportunity for the school and community to come together to root for their kids to achieve their ultimate goal, a spot in a state championship. Since entering an exclusive agreement with the NFHS Network, the KSHSAA has deprived broadcasters the chance to bring those events to their fans.

As a small business owner, every opportunity to showcase your product, and provide exposure for your customers is crucial. For broadcasters, this means putting our advertisers in front of the biggest audiences possible. Unfortunately, this exclusive contract and the current procedures surrounding the agreement do not allow these Kansas businesses that opportunity. In addition, the agreement seems to be a moving target and access to certain postseason contests is never certain. A consistent operating landscape is also crucial for small businesses.

While I do recognize the need the KSHSAA saw to live stream postseason events, I don't believe that need should preclude local operators from providing those services for their partner schools. I feel the KSHSAA doesn't fully understand or appreciate the service we provide the communities we serve. More than just a "live stream" we promote the kids, connect the community with the school through business support, and offer services such as live streaming graduations, music events, and more. At certain times in 2020 and 2021, we were literally the only way parents could watch their kids compete.

In many instances, due to arbitrary fees to broadcast postseason play, we have chosen to defer to the NFHS agreement and not cover those events. In nearly every one of those cases that game went without a broadcast. We wanted to cover the event, but this exclusive agreement led to no coverage and left families and fans without a way to watch their teams. Often times this missed broadcast was of a team making it to the state championship, a big milestone.

The KSHSAA is a member-based organization. Members of that organization have made it clear they prefer to partner with local broadcasters and not the NFHS Network. That should be their right to do so, something I believe this bill will address.

Unlike the KSHSAA's contracted provider, the broadcasters in favor of this bill, live, work, and play in the Kansas communities they serve. We see our viewers daily, we know these kids and their families, and we have a vested interest in the success of Kansas schools.

We're small businesses, working to invest in our state, our communities, and "our kids." We ask that this committee consider allowing us to grow our businesses in a fair and open marketplace. One that is built on an even playing field, without a government entity actively competing with us.

For that reason, I ask that you vote in favor of this bill and give us a chance to capture the biggest moments for these student athletes. Thank you.