

Committee on Education

CS/CS/SB 646 — Intercollegiate Athlete Compensation and Rights

by Innovation, Industry, and Technology Committee; Education Committee; and Senator Mayfield

The bill authorizes an intercollegiate athlete at a postsecondary educational institution to earn compensation for the use of her or his name, image, or likeness (NIL), and prohibits a postsecondary institution from preventing an athlete from earning NIL compensation. In addition, the bill prohibits a postsecondary institution, and specified entities and individuals associated with a postsecondary institution, from compensating or causing compensation to be directed to a current or prospective athlete for her or his NIL.

The bill prohibits an athlete from entering into a contract for NIL compensation if a term of the contract conflicts with a term of the athlete's team contract. The bill requires an athlete who enters into a contract for NIL compensation to disclose the contract to the postsecondary institution at which she or he is enrolled.

The bill prohibits a postsecondary institution from preventing or unduly restricting an athlete from obtaining professional representation by an appropriately licensed or registered athlete agent or attorney for the purpose of securing NIL compensation. The bill specifies that grant-in-aid awarded to an athlete by a postsecondary institution may not be reduced as a result of an athlete earning compensation or obtaining professional representation for the purposes of NIL.

The bill requires each postsecondary institution to conduct a financial literacy and life skills workshop at the beginning of the athlete's first and third academic years, with specified stipulations.

If approved by the Governor, these provisions take effect July 1, 2021.

Vote: Senate 37-2; House 98-14