

FIFTY-FIFTH LEGISLATURE  
FIRST SESSION, 2021

SB 94/a

February 17, 2021

Mr. President:

Your **JUDICIARY COMMITTEE**, to whom has been referred

**SENATE BILL 94**

has had it under consideration and reports same with recommendation that it **DO PASS**, amended as follows:

1. On page 2, line 4, strike "and".
2. On page 2, line 6, after "sport", insert:

"; and

C. "third party" means an individual or entity other than a post-secondary educational institution, athletic association or athletic conference".

3. On page 2, line 10, after the paragraph designation "(1)", strike the remainder of the line, strike lines 11 through 16 in their entirety and insert in lieu thereof:

"uphold any rule, requirement, standard or other limitation that prevents a student athlete of that institution from fully participating in athletics without penalty:

(a) for receiving food, shelter, medical expenses or insurance from a third party; or

(b) for earning compensation from a third party as a result of the use of the student athlete's name, image, likeness or athletic reputation;

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(2) prohibit or discourage a student athlete from wearing footwear of the student athlete's choice during official, mandatory team activities so long as the footwear does not have reflective fabric or lights or pose a health risk to a student athlete;

(3) prevent a student athlete from receiving third-party compensation for using the student athlete's name, image, likeness or athletic reputation when the student athlete is not engaged in official, mandatory team activities; or

(4) arrange third-party compensation for the use of a student athlete's name, image, likeness or athletic reputation or use such deals as inducements to recruit prospective student athletes."

4. On pages 2 and 3, strike Subsection B in its entirety and insert in lieu thereof:

"B. Earning compensation from the use of a student athlete's name, image, likeness or athletic reputation shall not affect a student athlete's grant-in-aid or stipend eligibility, amount, duration or renewal. For the purposes of this section, a grant-in-aid or stipend shall not be revoked or reduced as a result of a student athlete earning compensation pursuant to this section."

5. On page 3, strike Subsection C in its entirety and insert in lieu thereof:

"C. A third party shall not offer a student athlete a contract to provide compensation to the student athlete for use of the student athlete's name, image, likeness or athletic reputation that requires a student athlete to advertise for the sponsor in person during official, mandatory team activities without the approval of the student athlete's post-secondary educational institution."

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6. On page 3, line 20, strike "A", strike lines 21 through 25 in their entirety and on page 4, strike lines 1 and 2 in their entirety and insert in lieu thereof:

"A post-secondary educational institution shall not interfere with or prevent a student athlete from fully participating in athletics for obtaining representation unaffiliated with a post-secondary educational institution or its partners in relation to contracts or legal matters. An entity or individual that represents a post-secondary educational institution or has represented that post-secondary educational institution in the previous four years shall not represent a student athlete who is attending that post-secondary educational institution in any business agreement."

Respectfully submitted,

\_\_\_\_\_  
Joseph Cervantes, Chairman

Adopted \_\_\_\_\_ Not Adopted \_\_\_\_\_  
(Chief Clerk) (Chief Clerk)

Date \_\_\_\_\_

The roll call vote was 8 For 0 Against

Yes: 8

No: 0

Excused: Cervantes

Absent: None

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