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AN ACT

RELATING TO ATHLETICS; REMOVING THE PROHIBITION ON
POST-SECONDARY EDUCATIONAL INSTITUTIONS ARRANGING
COMPENSATION FOR THE USE OF A STUDENT ATHLETE'S NAME, IMAGE,
LIKENESS OR ATHLETIC REPUTATION; ALLOWING ENTITIES AND
INDIVIDUALS WHO REPRESENTED A POST-SECONDARY EDUCATIONAL
INSTITUTION IN THE PAST FOUR YEARS TO REPRESENT A STUDENT
ATHLETE WHO IS ATTENDING THAT POST-SECONDARY EDUCATIONAL
INSTITUTION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 21-31-3 NMSA 1978 (being Laws 2021,
Chapter 124, Section 3) is amended to read:

"21-31-3. STUDENT ATHLETE COMPENSATION.--

A. A post-secondary educational institution shall
not:

(1) 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; or

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

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

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

20 SECTION 2. Section 21-31-4 NMSA 1978 (being Laws 2021,
21 Chapter 124, Section 4) is amended to read:

22 "21-31-4. PROFESSIONAL REPRESENTATION.--A
23 post-secondary educational institution shall not interfere
24 with or prevent a student athlete from fully participating in
25 athletics for obtaining representation in relation to

1 contracts or legal matters." _____

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