

SB 5 A STAFF MEASURE SUMMARY

House Committee On Rules

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Meeting Dates: 6/15

WHAT THE MEASURE DOES:

Permits students participating in intercollegiate sports to earn compensation for use of name, image, or likeness (NIL) and to retain professional representation or athlete agent. Prohibits post-secondary institution of education, athletic association, conference, or organization with authority over intercollegiate sports (PSIE et al) from penalizing or retaliating against student athlete retaining these services. Prohibits student athlete from entering into contract for use of NIL that conflicts with team rules or contract between post-secondary institution of education (PSIE) and third party, except that team rules and contract between PSIE and third party may not prevent student from earning compensation for use of NIL when not engaged in official team activities. Requires student athlete to disclose to PSIE professional representation or athlete agent retained and requires PSIE to disclose to student athlete conflicts of that retention with team rules or contracts with third parties. Prohibits student athlete from retaining professional representative or athlete agent who represented PSIE at any time in preceding four years. Prohibits PSIE et al from compensating prospective or current student athlete for use of NIL. Applicable to contract or agreements entered into on or after July 1, 2021. Declares emergency, effective on passage.

ISSUES DISCUSSED:

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

On March 31, the Supreme Court of the United States heard oral arguments for case number 20-512: *National Collegiate Athletic Association v. Alston* about limits on compensation for student athletes. The National Collegiate Athletic Association (NCAA) maintains that student athletes should be subject to compensation limits since they are amateur athletes, while student athletes state that they should not be subject to such limits, arguing that the NCAA is operating a business.

Florida recently passed a law allowing student athletes to be paid for the use of their names and images through endorsement and social media platforms, which takes effect July 1, 2021. While currently banned, the NCAA is supportive of rule changes to allow the Florida bill to take effect.

Senate Bill 5 A allows student athletes in Oregon to receive compensation for the use of their names, images, or likeness and to retain professional representation or an athlete agent.