

Requested by Senator MANNING JR

**PROPOSED AMENDMENTS TO
SENATE BILL 1193**

1 On page 1 of the printed bill, delete lines 4 through 27 and delete pages
2 2 and 3 and insert:

3 **“SECTION 1.** ORS 702.200, as amended by section 1, chapter 15, Oregon
4 Laws 2024, is amended to read:

5 “702.200. (1) As used in this section:

6 “(a) ‘Athletic association, conference or organization with authority over
7 intercollegiate sports’ includes the National Collegiate Athletic Association.

8 “(b) ‘Post-secondary institution of education’ means:

9 “(A) A public university listed in ORS 352.002.

10 “(B) An Oregon-based, generally accredited, private institution of higher
11 education.

12 **“(C) An entity that a post-secondary institution of education con-**
13 **tracts with or creates to operate or otherwise control intercollegiate**
14 **athletic programs on behalf of the institution.**

15 “(c)[(A)] ‘Student’s rights’ means the rights of a student enrolled in a
16 post-secondary institution of education to earn compensation for use of the
17 student’s name, image, likeness or athletic reputation and to contract with
18 and retain professional representation or an athlete agent.

19 “[*(B) ‘Student’s rights’ does not include a right to receive compensation*
20 *from a post-secondary institution of education.*]

21 “(2)(a) Except as provided in this section, a post-secondary institution of

1 education or an athletic association, conference or organization with au-
2 thority over intercollegiate sports may not:

3 “(A) Prohibit, prevent or restrict a student athlete from exercising the
4 student’s rights.

5 “(B) Penalize or retaliate against a student athlete for exercising the
6 student’s rights.

7 “(C) Prohibit a student athlete from participating in an intercollegiate
8 sport for exercising the student’s rights.

9 “(D) Impose an eligibility requirement on a scholarship or grant that re-
10 quires a student athlete to refrain from exercising the student’s rights.

11 “(E) Prohibit a student athlete from receiving food, drink, lodging or
12 medical expenses or insurance coverage from a third party as compensation
13 for use of the student’s name, image, likeness or athletic reputation.

14 **“(F) Serve as an athlete agent for a student athlete enrolled, or**
15 **considering enrollment, at a post-secondary institution of education**
16 **or attempt to influence a student athlete enrolled, or considering en-**
17 **rollment, at a post-secondary institution of education in the selection**
18 **of an athlete agent.**

19 “(b) Except as provided in this section, an athletic association, conference
20 or organization with authority over intercollegiate sports may not:

21 “(A) Prevent a post-secondary institution of education or a student
22 athlete from participating in intercollegiate sports, accept a complaint, open
23 an investigation or take any other adverse action against a post-secondary
24 institution of education or a student athlete as a result of a violation, or an
25 alleged violation, of the rules or regulations of the athletic association,
26 conference or organization related to a student athlete exercising the
27 student’s rights.

28 “(B) Authorize, cause or allow any post-secondary institution of education
29 that is a member of the association, conference or organization to take an
30 action prohibited under paragraph (a) of this subsection.

1 “(3)(a) A student athlete may not enter into a contract that provides
2 compensation to the student athlete for use of the student athlete’s name,
3 image, likeness or athletic reputation if terms of the contract conflict with
4 the student athlete’s team rules or with terms of a contract entered into
5 between the student athlete’s post-secondary institution of education and a
6 third party, except neither the team rules nor a contract entered into be-
7 tween the post-secondary institution of education and a third party may
8 prevent a student athlete from earning compensation for use of the student
9 athlete’s name, image, likeness or athletic reputation when not engaged in
10 official team activities, including participating in or being part of an adver-
11 tisement that was created while not engaged in official team activities but
12 that may otherwise be broadcasted, displayed or disseminated at any time.

13 “(b) A student athlete who enters into a contract that provides compen-
14 sation to the student athlete for use of the student athlete’s name, image,
15 likeness or athletic reputation shall disclose the contract to an official of the
16 post-secondary institution of education designated by the institution if the
17 student athlete is a team member or, if the student athlete is not a team
18 member, at the time the student athlete seeks to become a team member.

19 “(c) If the post-secondary institution of education asserts that the terms
20 of the contract conflict with the team rules or with terms of a contract en-
21 tered into between the student athlete’s post-secondary institution of educa-
22 tion and a third party, the institution shall disclose the specific rules or
23 terms asserted to be in conflict to the student athlete or to the student
24 athlete’s professional representative or athlete agent if the student athlete
25 is represented.

26 **“(d) A student athlete may not enter into a contract related to the**
27 **student athlete’s student’s rights for a duration that exceeds the stu-**
28 **dent athlete’s participation in intercollegiate sports.**

29 “(4)(a) A post-secondary institution of education [*or an athletic associ-*
30 *ation, conference or organization with authority over intercollegiate sports*]

1 may [not] provide to a prospective or current student athlete compensation
2 for use of the student athlete's name, image, likeness or athletic reputation.

3 **“(b) For any written contract that provides compensation under**
4 **this subsection to a student athlete who is a minor, the contract must**
5 **include written consent of the parent or guardian of the student**
6 **athlete.**

7 **“(c) An athletic association, conference or organization with au-**
8 **thority over intercollegiate sports may not provide to a prospective or**
9 **current student athlete compensation for use of the student athlete's**
10 **name, image, likeness or athletic reputation.**

11 **“(5) A student athlete may not contract with or retain a person as the**
12 **student athlete's athlete agent, if the person represented or was employed**
13 **by a post-secondary institution of education at any time in the preceding four**
14 **years.**

15 **“(6) Nothing in this section prohibits a post-secondary institution of ed-**
16 **ucation from establishing or enforcing a conduct code that is applicable to**
17 **all students enrolled at the institution.**

18 **“(7)(a) A student athlete's compensation for use of the student's name,**
19 **image, likeness or athletic reputation may not be conditioned on the athletic**
20 **performance of the student athlete.**

21 **“(b) A person or entity that provides compensation to a student athlete**
22 **for the use of the student athlete's name, image, likeness or athletic reputa-**
23 **tion may condition payment of the compensation on a student athlete's at-**
24 **tendance at a particular post-secondary institution of education.**

25 **“(8) An athletic association, conference or organization with authority**
26 **over intercollegiate sports may not:**

27 **“(a) Prohibit a post-secondary institution of education from identifying,**
28 **facilitating, enabling or supporting opportunities for a current student**
29 **athlete to exercise the student athlete's student's rights at the student**
30 **athlete's post-secondary institution of education, or from providing com-**

pensation to the student athlete in accordance with this section.

“(b) Request, compel or attempt to compel a post-secondary institution of education or a student athlete to disclose in full or in part a contract related to the exercise of student’s rights or any individual or aggregate contractual information related to the exercise of student’s rights.

“(9) A post-secondary institution of education, or an employee of a post-secondary institution of education, may not be held liable for any damages to a student athlete’s ability to exercise the student athlete’s student’s rights due to any decision or action made by the post-secondary institution of education or employee:

“(a) That is routinely taken in the course of intercollegiate sports; or

“(b) That is part of identifying, facilitating, enabling or supporting opportunities for the current student athlete to exercise the student athlete’s student’s rights at the student athlete’s post-secondary institution of education.”.