

SECOND REGULAR SESSION

HOUSE BILL NO. 1792

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE ROGERS.

4538H.011

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To amend chapter 173, RSMo, by adding thereto one new section relating to compensation for student athletes.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Chapter 173, RSMo, is amended by adding thereto one new section, to be
2 known as section 173.280, to read as follows:

173.280. 1. As used in this section, "postsecondary educational institution" means
2 **any public or private institution of higher education in this state that is subject to the**
3 **coordinating board for higher education under section 173.005.**

4 **2. (1) No postsecondary educational institution shall uphold any rule, requirement,**
5 **standard, or other limitation that prevents a student of that institution from fully**
6 **participating in intercollegiate athletics without penalty and earning compensation as a**
7 **result of the use of the student's name, image, likeness rights, or athletic reputation.**
8 **Earning compensation from the use of a student's name, image, likeness rights, or athletic**
9 **reputation shall not affect the student's grant-in-aid or stipend eligibility, amount,**
10 **duration, or renewal.**

11 **(2) No athletic association, conference, or other group or organization with**
12 **authority over intercollegiate athletics, including but not limited to the National Collegiate**
13 **Athletic Association, shall prevent a student of a postsecondary educational institution**
14 **from fully participating in intercollegiate athletics without penalty and earning**
15 **compensation as a result of the student's use of the student's name, image, likeness rights,**
16 **or athletic reputation.**

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

17 **(3) No athletic association, conference, or other group or organization with**
18 **authority over intercollegiate athletics, including but not limited to the National Collegiate**
19 **Athletic Association, shall prevent a postsecondary educational institution from fully**
20 **participating in intercollegiate athletics without penalty as a result of a student's use of the**
21 **student's name, image, likeness rights, or athletic reputation.**

22 **3. No athletic association, conference, or other group or organization with authority**
23 **over intercollegiate athletics, including but not limited to the National Collegiate Athletic**
24 **Association, shall prevent a postsecondary educational institution from fully participating**
25 **in intercollegiate athletics without penalty as a result of a student obtaining professional**
26 **representation in relation to contracts or legal matters, including but not limited to**
27 **representation provided by athlete agents, financial advisors, or legal representation**
28 **provided by attorneys.**

29 **4. (1) No postsecondary educational institution, athletic association, conference,**
30 **or other group or organization with authority over intercollegiate athletics, including but**
31 **not limited to the National Collegiate Athletic Association, shall interfere with or prevent**
32 **a student from fully participating in intercollegiate athletics for obtaining professional**
33 **representation in relation to contracts or legal matters, including but not limited to**
34 **representation provided by athlete agents, financial advisors, or legal representation**
35 **provided by attorneys.**

36 **(2) Professional representation provided by athlete agents, financial advisors, or**
37 **attorneys shall be from persons licensed by this state.**

38 **5. A grant-in-aid or stipend from the postsecondary educational institution in**
39 **which a student is enrolled shall not be construed to be compensation for use of the**
40 **student's name, image, likeness rights, or athletic reputation for purposes of this section,**
41 **and no grant-in-aid or stipend shall be revoked or reduced as a result of a student earning**
42 **compensation under this section.**

43 **6. (1) No student athlete shall enter into an apparel, equipment, or beverage**
44 **contract providing compensation to the athlete for use of the athlete's name, image,**
45 **likeness rights, or athletic reputation if the contract requires the athlete to display a**
46 **sponsor's apparel, equipment, or beverage or otherwise advertise for the sponsor during**
47 **official team activities if such provisions are in conflict with a provision of the athlete's**
48 **team contract.**

49 **(2) Any student athlete who enters into a contract providing compensation to the**
50 **athlete for use of the athlete's name, image, likeness rights, or athletic reputation shall**
51 **disclose the full contract to an official of the postsecondary educational institution, with**
52 **such official to be designated by such institution. No institution or its designated official**

53 shall disclose terms of an athlete's contract that the athlete or the athlete's legal
54 representation deems to be a trade secret or nondisclosable.

55 (3) An institution asserting a conflict described in subdivision (1) of this subsection
56 shall disclose to the student athlete or the athlete's legal representation the full contract the
57 institution asserts to be in conflict. No athlete or member of the athlete's legal
58 representation shall disclose terms of an institution's contract that the institution deems
59 to be a trade secret or nondisclosable.

60 7. No team contract of a postsecondary educational institution's athletic program
61 shall prevent a student athlete from receiving compensation for using the athlete's name,
62 image, likeness rights, or athletic reputation for a commercial purpose when the athlete is
63 not engaged in official mandatory team activities that are recorded in writing and made
64 publicly available. Such team activities shall not exceed twenty hours per week during the
65 season and eight hours per week during the off-season.

66 8. Students, postsecondary educational institutions, conferences, and state or local
67 prosecutors seeking to prosecute violators of this section shall not be deprived of any
68 protections provided under law with respect to a controversy that arises, and shall have
69 the right to adjudicate claims that arise under this section.

70 9. Legal settlements shall not permit noncompliance with this section.

71 10. This section shall apply only to contracts entered into, modified, or renewed on
72 or after January 1, 2023.

73 11. This section shall become effective on January 1, 2023.

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