



General Assembly

February Session, 2020

***Raised Bill No. 306***

LCO No. 2182



Referred to Committee on HIGHER EDUCATION AND  
EMPLOYMENT ADVANCEMENT

Introduced by:  
(HED)

***AN ACT CONCERNING STUDENT ATHLETES AT INSTITUTIONS OF  
HIGHER EDUCATION.***

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

- 1 Section 1. (NEW) (*Effective July 1, 2023*) (a) As used in this section:
- 2 (1) "Student athlete" means a student enrolled at an institution of  
3 higher education who has participated in an intercollegiate athletic  
4 program for at least one academic year;
- 5 (2) "Intercollegiate athletic program" means a program at an  
6 institution of higher education for sports played at the collegiate level  
7 for which eligibility requirements for participation by a student athlete  
8 are established by a national association for the promotion or regulation  
9 of college athletics;
- 10 (3) "Compensation" means the receipt, whether directly or indirectly,  
11 of any money, goods, services or other item of value;
- 12 (4) "Endorsement contract" means a written agreement under which

13 a student athlete is employed or receives compensation for the use by  
14 another party of such student athlete's person, name, image or likeness  
15 in the promotion of any product, service or event;

16 (5) "Sports agent" means a duly licensed person who negotiates or  
17 solicits a contract on behalf of a student athlete in accordance with the  
18 Sports Agent Responsibility and Trust Act, 15 USC 7801, et seq., as  
19 amended from time to time;

20 (6) "NCAA" has the same meaning as provided in section 10a-55k of  
21 the general statutes; and

22 (7) "Institutional marks" means the name, logo, mascot, unique  
23 colors, or other defining insignia that are trademarked or copyrighted  
24 by an institution of higher education.

25 (b) On or after July 1, 2023, any student athlete who is enrolled at an  
26 institution of higher education in the state may earn compensation  
27 through an endorsement contract or employment in an activity that is  
28 unrelated to any intercollegiate athletic program, and obtain the legal or  
29 professional representation of an attorney or sports agent through a  
30 written agreement, provided such student athlete (1) discloses and  
31 submits a copy of any endorsement contract or written agreement for  
32 employment or representation executed by such student athlete to an  
33 employee of the intercollegiate athletic program designated by the  
34 institution of higher education, (2) does not earn compensation that  
35 exceeds fair market value, which fair market value shall be determined  
36 at the sole discretion of the institution of higher education or the NCAA,  
37 (3) does not enter into an agreement that conflicts with the provisions of  
38 any agreement to which the institution of higher education is a party,  
39 provided such institution shall disclose to the student athlete or the  
40 student athlete's attorney or sports agent the provisions of the  
41 agreement that are in conflict, (4) shall not use or consent to the use of  
42 any institutional marks during such student athlete's performance of the  
43 endorsement contract or employment activity, (5) does not engage in or  
44 promote obscene, illegal or unethical behavior as a part of such student

45 athlete's performance of the endorsement contract or employment  
46 activity, and (6) does not interfere in the activities of the intercollegiate  
47 athletic program or the institution of higher education during such  
48 student athlete's performance of the endorsement contract or  
49 employment activity.

50 (c) No provision of subsection (b) of this section shall be construed to  
51 (1) require an institution of higher education or the NCAA to  
52 compensate a student athlete for use of his or her name, image or  
53 likeness, (2) require a student athlete or any other person to compensate  
54 an institution of higher education or the NCAA for a student athlete's  
55 endorsement contract or employment activity that is in accordance with  
56 the provisions of subsection (b) of this section, (3) qualify any  
57 scholarship that a student athlete receives from an institution of higher  
58 education as compensation, (4) qualify a student athlete as an employee  
59 of an institution of higher education, (5) require an institution of higher  
60 education to take any action in violation of the Discrimination Based on  
61 Sex and Blindness Act, 20 USC 1681, et seq., as amended from time to  
62 time, or (6) prohibit a student athlete from engaging in an employment  
63 activity that entails coaching or performing a sport, provided such  
64 activity is not related to any intercollegiate athletic program.

65 (d) No athletic association or conference, including the NCAA, on the  
66 basis of a student athlete's endorsement contract, employment activity  
67 or representation by an attorney or sports agent pursuant to subsection  
68 (b) of this section, shall (1) prohibit or prevent an institution of higher  
69 education or its intercollegiate athletic program from participating in  
70 intercollegiate sports, (2) restrict or revoke a student athlete's eligibility  
71 to participate in an intercollegiate athletic program, (3) prohibit or  
72 prevent a student athlete from earning compensation from such  
73 endorsement contract or employment activity, or (4) prohibit or prevent  
74 a student athlete from representation by a duly licensed attorney or  
75 sports agent.

76 (e) (1) No institution of higher education, on the basis of a student  
77 athlete's endorsement contract, employment activity or representation

78 by an attorney or sports agent pursuant to subsection (b) of this section,  
79 shall (A) prohibit or prevent such student athlete from earning  
80 compensation from such endorsement contract or employment activity,  
81 (B) prohibit or prevent such student athlete from representation by a  
82 duly licensed attorney or sports agent, (C) restrict or revoke such  
83 student athlete's eligibility for a scholarship or to participate in the  
84 intercollegiate athletic program at such institution.

85 (2) Notwithstanding section 1-210 of the general statutes with respect  
86 to public institutions of higher education, no institution of higher  
87 education shall disclose any record of the compensation received by a  
88 student athlete from an endorsement contract or employment activity  
89 entered into or engaged in pursuant to subsection (b) of this section  
90 unless the institution receives the written consent of the student athlete  
91 for each disclosure.

92 (3) Not later than July 1, 2023, the governing board of each institution  
93 of higher education shall adopt or update policies, as necessary, to carry  
94 out the purposes of this section.

95 (f) No provision of subsections (d) and (e) shall be construed to  
96 prevent an institution of higher education or an athletic association or  
97 conference, including the NCAA, from prohibiting a student athlete's  
98 participation in an intercollegiate athletic program, revoking a student  
99 athlete's eligibility for a scholarship or taking any other punitive or legal  
100 action if such student athlete's endorsement contract, employment  
101 activity or representation by an attorney or sport agent does not comply  
102 with the provisions of subsection (b) of this section.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	July 1, 2023	New section
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**Statement of Purpose:**

To allow student athletes to earn compensation from such students' name, image or likeness or from employment in activities unrelated to an intercollegiate athletic program.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*