

SENATE BILL NO. 660

December 03, 2019, Introduced by Senator HOLLIER and referred to the Committee on Regulatory Reform.

A bill to prohibit certain sports organizations from preventing a student athlete from receiving compensation for the use of his or her name, image, or likeness; and to provide for remedies.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

- 1 Sec. 1. As used in this act:
- 2 (a) "Amateur athlete" means an athlete who is not provided
- 3 compensation for the time he or she spends competing in or training
- 4 for an athletic competition. Amateur athlete includes a student

1 athlete. For purposes of this definition, a scholarship or other
2 form of financial support that provides for the cost of attendance
3 at a high school or a public or private institution of higher
4 education is not compensation.

5 (b) "Amateur athletic competition" means a contest, game,
6 meet, match, tournament, regatta, or other sporting event in which
7 amateur athletes compete.

8 (c) "Amateur sports organization" means a not-for-profit
9 corporation, athletic conference or association, or other group
10 that sponsors, arranges, operates, or determines or sets standards
11 governing athlete or team eligibility for participation in an
12 amateur athletic competition held in this state or in which
13 residents of this state compete or aim to compete. Amateur sports
14 organization includes, but is not limited to, a youth,
15 interscholastic, or intercollegiate sports organization. For
16 purposes of this definition, the term "resident" includes any
17 individual enrolled in and attending a high school or public or
18 private institution of higher education located in this state.

19 (d) "High school" means a public school or nonpublic school
20 that offers at least 1 of grades 9 to 12.

21 (e) "Public school" and "nonpublic school" mean those terms as
22 defined in section 5 of the revised school code, 1976 PA 451, MCL
23 380.5.

24 (f) "Student athlete" means an individual who engages in, is
25 eligible to engage in, or may be eligible to engage in any high
26 school or intercollegiate contest, game, meet, match, tournament,
27 regatta, or other sporting event.

28 Sec. 3. An amateur sports organization, including, but not
29 limited to, the National Collegiate Athletic Association, shall not

1 do either of the following:

2 (a) Prevent a student athlete who resides in this state from
3 earning compensation as a result of the use of the student's name,
4 image, or likeness, or otherwise limit that student's ability to
5 earn such compensation.

6 (b) Prevent a high school or a private or public institution
7 of higher education in this state from participating in
8 interscholastic or intercollegiate athletics, or otherwise limit
9 such participation, as a result of a student of the high school or
10 institution earning compensation for the use of the student's name,
11 image, or likeness.

12 Sec. 5. An amateur sports organization, including, but not
13 limited to, the National Collegiate Athletic Association, shall not
14 do either of the following:

15 (a) Provide a student athlete who attends a high school or a
16 private or public institution of higher education in this state
17 with compensation in relation to the athlete's name, image, or
18 likeness.

19 (b) Prevent a student athlete who resides in this state and
20 participates, or aims to participate, in interscholastic or
21 intercollegiate athletics from obtaining professional
22 representation in relation to contracts or legal matters,
23 including, but not limited to, representation provided by an
24 athlete agent or legal representation provided by an attorney, or
25 otherwise limit that student's ability to obtain such
26 representation.

27 Sec. 7. (1) A scholarship from a high school or a private or
28 public institution of higher education in this state in which a
29 student is enrolled that provides the student with the cost of

1 attendance at that institution is not compensation for purposes of
2 this act.

3 (2) Earning compensation from the use of a student's name,
4 image, or likeness shall not affect that student's scholarship
5 eligibility at a high school or a private or public institution of
6 higher education in this state.

7 (3) A high school or a private or public institution of higher
8 education in this state shall not revoke, as a result of a student
9 earning compensation or obtaining legal representation in
10 accordance with this act, a scholarship provided to the student by
11 that high school or institution.

12 Sec. 9. An amateur sports organization or other person that
13 violates this act is subject to a civil fine not to exceed
14 \$100,000.00.

15 Enacting section 1. This act takes effect 90 days after the
16 date it is enacted into law.