

## Department of Planning and Budget 2022 Fiscal Impact Statement

**1. Bill Number:** SB223

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

**2. Patron:** McPike

**3. Committee:** Passed Both Houses

**4. Title:** Intercollegiate athletics; student-athletes; compensation and representation for name, image.

**5. Summary:** Establishes several parameters for the compensation and representation of a student-athlete related to the use of such student's name, image, or likeness. The bill prohibits any private institution of higher education, associate-degree-granting public institution of higher education, or baccalaureate public institution of higher education or any agent thereof; athletic association; athletic conference; or other organization with authority over intercollegiate athletics from (i) providing a prospective student-athlete or a student-athlete with compensation for the use of his name, image, or likeness; (ii) prohibiting or preventing a student-athlete from earning such compensation, except in certain circumstances enumerated in the bill; (iii) prohibiting or preventing a student-athlete from obtaining professional representation by a licensed athlete agent or legal representation by a licensed attorney in connection with issues related to name, image, or likeness; (iv) declaring a student-athlete ineligible for intercollegiate athletic competition because he earns such compensation or obtains such representation; or (v) reducing, canceling, revoking, or not renewing an athletic scholarship because a student-athlete earns such compensation or obtains such representation. The bill establishes several other conditions and limitations relating to pre-agreement disclosures, the use of the institution's property, and the effect on employment status in connection with a student-athlete's use of his name, image, or likeness. The bill also amends the definition of "athlete agent" in relevant law to permit such agents to represent a student-athlete in connection with issues related to name, image, or likeness, including negotiating, securing, obtaining, arranging, and managing name, image, or likeness opportunities.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** Final. See Item 8.

**8. Fiscal Implications:** Institutions were required to comply with provisions of this bill per the eighteenth enactment of Chapter 1, 2021 Special Session II, which became effective upon passage of that Act on August 10, 2021. Therefore, it is anticipated that any fiscal impact will continue to be absorbed within existing resources.

**9. Specific Agency or Political Subdivisions Affected:** Public institutions of higher education.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** Identical to HB 507.