

HCS HBs 1564, 1792 & 1748 -- COMPENSATION FOR STUDENT ATHLETES

SPONSOR: Schroer

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Standing Committee on General Laws by a vote of 12 to 1.

The following is a summary of the House Committee Substitute for HB 1564.

This bill enacts provisions governing the compensation for a student athlete. In its main provisions the bill:

- (1) Prohibits public or private institutions of higher education from preventing a student from earning compensation for the student's name, image, likeness rights, or athletic reputation;
- (2) Limits these institutions from preventing a student from participating in intercollegiate athletics if the student earns compensation, or from hiring professional representation as outlined in the bill;
- (3) Prohibits the postsecondary educational institution from revoking or reducing any grant-in-aid or stipend if a student earns compensation;
- (4) Limits a student athlete from entering into any contract for compensation that requires the athlete to display a sponsor's apparel, equipment, beverage, or otherwise advertise for the sponsor during official team activities if it would conflict with the provisions of the athlete's team contract;
- (5) Limits team activities to not exceed 20 hours per week during the season and eight hours per week during the off-season.
- (6) Requires a postsecondary educational institution that enters into a commercial agreement that directly or indirectly requires the use of an athlete's name, image, likeness, or athletic reputation to conduct a financial development program, as specified in the bill, of up to 15 hours once per year for their athletes.
- (7) Specifies that an attorney representing an athlete must be licensed in Missouri.
- (8) Allows any athlete to bring a civil action for appropriate injunctive relief or actual damages, or both against third parties violating this provision in the county that the violation occurs; and

(9) Any student and state or local prosecutor seeking to prosecute a violator shall not be deprived of any protections provided under law with respect to a controversy that arises, and shall have the right to adjudicate claims that arise under this provision.

This bill has a delayed effective date of July 1, 2021.

The following is a summary of the public testimony from the committee hearing. The testimony was based on the introduced version of the bill.

PROPOSERS: Supporters say that we are in a free enterprise market, and currently students are deprived of this liberty. Particularly, the NCAA infringes on athletes' 1st Amendment right. This bill will help create opportunities for smaller colleges and women's sports. Proponents also testified that scholarship and paying for tuition is not enough for student athletes because they can get injured at any moment. Many student athletes have difficulties paying bills and paying for groceries. Supporters also stated that since Olympians are compensated, student athletes should be compensated as well.

Testifying for the bill were Representative Schroer; Ramogi Huma, National Collegiate Players Association; and Thomas Kruckemeyer.

OPPOSERS: There was no opposition voiced to the committee.