
DIGEST

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HB 576 Original

2022 Regular Session

Stefanski

Abstract: Revises provisions relative to the use of an intercollegiate athlete's name, image, or likeness.

Present law allows an intercollegiate athlete at a postsecondary education institution (institution) to earn compensation for the use of his name, image, or likeness (known as NIL). Proposed law retains present law except as follows:

- (1) Present law prohibits an institution or an officer or employee thereof from compensating, or causing compensation to be directed to, a current or prospective intercollegiate athlete for the athlete's NIL. Proposed law removes present law.
- (2) Present law prohibits an institution from using an athletic booster to directly or indirectly create or facilitate compensation opportunities for the use of an athlete's NIL as a recruiting inducement or as a means of paying for athletics participation; present law also applies these prohibitions directly to athletic boosters. Proposed law removes present law.
- (3) Present law prohibits an athlete from earning compensation for use of his NIL for the endorsement of tobacco, alcohol, illegal substances or activities, banned athletic substances, or any form of gambling, including sports wagering. Proposed law instead authorizes an institution to prohibit an athlete from doing so and adds gaming to this list.
- (4) Proposed law adds that no institution's employees, including athletics coaching staff, shall be liable for any damages to an athlete's ability to earn compensation for the use of his NIL resulting from decisions and actions routinely taken in the course of intercollegiate athletics; proposed law provides, however, that nothing in such proposed law shall protect the institution or its employees from acts of gross negligence, or wanton, willful, malicious, or intentional misconduct.

Effective upon signature of governor or lapse of time for gubernatorial action.

(Amends R.S. 17:3703)