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 DIGEST

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SB 250 Reengrossed

2022 Regular Session

Connick

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, an entity whose purpose includes supporting or benefitting such institution or its intercollegiate athletic programs, or an officer, director, employee, or agent of such institution or entity from providing a current or prospective athlete with compensation for the use of the student athlete's NIL. Proposed law removes such entities and their officers, directors, employees, or agents from this prohibition.
- (2) 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.
- (3) 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 to athletic boosters. Proposed law removes present law.
- (4) 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 adds gaming to this list.
- (5) 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.
- (6) Proposed law adds that any document disclosed by the athlete to the institution that references the terms and conditions of his contract for compensation shall be confidential and not subject to inspection, examination, copying, or reproduction pursuant to the Public Records Law.

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

(Amends R.S. 17:3703 and R.S. 44:4.1(B)(9))

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Education to the original bill

1. Repeals present law prohibiting an entity supporting an institution or its intercollegiate programs from providing compensation to a student athlete.
2. Leaves present law prohibition for earning compensation for endorsing certain items.

Senate Floor Amendments to engrossed bill

1. Makes technical changes.

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Education to the reengrossed bill:

1. Add that certain documents pertaining to athlete's compensation contract are confidential and not subject to inspection pursuant to the Public Records Law.