

## RÉSUMÉ DIGEST

ACT 307 (SB 250)

2022 Regular Session

Connick

Prior law allowed an intercollegiate athlete at a postsecondary education institution (institution) to earn compensation for the use of his name, image, or likeness (known as NIL). New law repeals portions of prior law that:

- (1) Prohibited 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.
- (2) Prohibited 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.
- (3) Prohibited an athletic booster from 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.

Prior law prohibited 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. New law retains prior law and adds gaming to the list of prohibitions.

New law provides 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. New law does not protect the institution or its employees from acts of gross negligence, or wanton, willful, malicious, or intentional misconduct.

New law provides 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 June 10, 2022.

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