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S.328

Introduced by Senators Parent, Baruth, Hardy and Perchlik

Referred to Committee on

Date:

Subject: Recreation and sports; student athlete compensation

Statement of purpose of bill as introduced: This bill proposes to allow Vermont student athletes to earn compensation from the use of the student athlete's name, image, or likeness.

An act relating to student athlete compensation

It is hereby enacted by the General Assembly of the State of Vermont:

Sec. 1. 31 V.S.A. chapter 25 is added to read:

CHAPTER 25. STUDENT ATHLETE COMPENSATION

§ 1301. DEFINITIONS

(a) “Institution” means any publicly or privately operated postsecondary institution within the State, including the University of Vermont and any of the Vermont State Colleges.

(b) “Student athlete” means a student enrolled in an institution and participating in intercollegiate athletics.

1 § 1302. STUDENT ATHLETE COMPENSATION

2 (a) An institution shall not uphold any rule, requirement, standard, or other
3 limitation that prevents a student athlete of that institution from earning
4 compensation as a result of the use of the student athlete's name, image, or
5 likeness. Earning compensation from the use of the student athlete's name,
6 image, or likeness shall not affect the student athlete's scholarship eligibility.

7 (b) An athletic association, conference, or other group or organization with
8 authority over intercollegiate athletics, including the National Collegiate
9 Athletic Association, shall not prevent a student athlete of an institution from
10 earning compensation as a result of the use of the student athlete's name,
11 image, or likeness.

12 (c) An athletic association, conference, or other group or organization with
13 authority over intercollegiate athletics, including the National Collegiate
14 Athletic Association, shall not prevent an institution from participating in
15 intercollegiate athletics as a result of the compensation of a student athlete for
16 the use of the student athlete's name, image, or likeness.

17 (d) A scholarship from the institution in which the student athlete is
18 enrolled is not compensation for purposes of this chapter, and a scholarship
19 shall not be revoked as a result of earning compensation or obtaining
20 representation pursuant to this chapter.

1 § 1303. PROHIBITED ACT; PROSPECTIVE STUDENT ATHLETE

2 An institution, athletic association, conference, or other group or
3 organization with authority over intercollegiate athletics shall not provide a
4 prospective student athlete with compensation in relation to the athlete's name,
5 image, or likeness.

6 § 1304. REPRESENTATION

7 An institution, athletic association, conference, or other group or
8 organization with authority over intercollegiate athletics shall not prohibit a
9 student athlete from obtaining professional representation in relation to
10 contracts or legal matters, including representation provided by athlete agents
11 or legal representation provided by attorneys.

12 § 1305. CONTRACTS; CONFLICTING PROVISIONS

13 (a) A student athlete shall not enter into a contract providing compensation
14 pursuant to this chapter if the contract is in conflict with a provision of a team
15 contract between the institution and the student athlete.

16 (b) A student athlete who enters a contract providing compensation
17 pursuant to this chapter shall disclose the contract to a designated official of
18 the institution.

19 (c) An institution that asserts a conflict pursuant to subsection (a) of this
20 section shall disclose to the student athlete's representation the relevant
21 contract provisions that are in conflict.

1 (d) An institution shall not propose a new, renewed, or modified contract
2 that prohibits a student athlete from earning compensation pursuant to this
3 chapter.

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on January 1, 2023.