

1.1 moves to amend H.F. No. 3908 as follows:

1.2 Delete everything after the enacting clause and insert:

1.3 "Section 1. **[135A.184] STUDENT ATHLETE COMPENSATION AND**
1.4 **REPRESENTATION.**

1.5 Subdivision 1. **Definitions.** For the purposes of this section, "athletics organization"
1.6 means an athletic association, conference, or other group or organization with authority
1.7 over intercollegiate athletics, including, but not limited to, the National Collegiate Athletic
1.8 Association.

1.9 Subd. 2. **Applicability.** (a) This section applies to:

1.10 (1) institutions governed by the Board of Trustees of the Minnesota State Colleges and
1.11 Universities; and

1.12 (2) private postsecondary institutions that offer in-person courses on a campus located
1.13 in Minnesota.

1.14 Institutions governed by the Board of Regents of the University of Minnesota are
1.15 requested to comply with this section.

1.16 (b) This section applies only to contracts entered into, modified, or renewed on or after
1.17 the enactment of this section.

1.18 Subd. 3. **Compensation.** (a) A postsecondary educational institution must not uphold
1.19 any rule, requirement, standard, or other limitation that prevents a student of that institution
1.20 participating in intercollegiate athletics from earning compensation as a result of the use of
1.21 the student's name, image, or likeness. Earning compensation from the use of a student's
1.22 name, image, or likeness must not affect the student's scholarship eligibility.

2.1 (b) An athletics organization must not prevent a student of a postsecondary educational
2.2 institution participating in intercollegiate athletics from earning compensation as a result
2.3 of the use of the student's name, image, or likeness.

2.4 (c) An athletics organization must not prevent a postsecondary educational institution
2.5 from participating in intercollegiate athletics as a result of the compensation of a student
2.6 athlete for the use of the student's name, image, or likeness.

2.7 (d) A postsecondary educational institution or athletics organization must not provide
2.8 a prospective student athlete with compensation in relation to the athlete's name, image, or
2.9 likeness.

2.10 (e) A scholarship from the postsecondary educational institution in which a student is
2.11 enrolled that provides the student with the cost of attendance at that institution is not
2.12 compensation for purposes of this section, and a scholarship must not be revoked as a result
2.13 of earning compensation or obtaining legal representation pursuant to this section.

2.14 Subd. 4. **Representation.** (a) A postsecondary educational institution or athletics
2.15 organization must not prevent a student participating in intercollegiate athletics from
2.16 obtaining professional representation in relation to contracts or legal matters, including, but
2.17 not limited to, representation provided by athlete agents or legal representation provided
2.18 by attorneys.

2.19 (b) Professional representation obtained by student athletes must be from persons licensed
2.20 by the state.

2.21 (c) Athlete agents representing student athletes must comply with the federal Sports
2.22 Agent Responsibility and Trust Act, as provided by United States Code, title 15, chapter
2.23 104, in their relationships with student athletes.

2.24 Subd. 5. **Team contracts.** (a) A student athlete must not enter into a contract providing
2.25 compensation to the athlete for use of the athlete's name, image, or likeness if a provision
2.26 of the contract is in conflict with a provision of the athlete's team contract.

2.27 (b) A student athlete who enters into a contract providing compensation to the athlete
2.28 for use of the athlete's name, image, or likeness must disclose the contract to an official of
2.29 the institution, to be designated by the institution.

2.30 (c) An institution asserting a conflict described in paragraph (a) must disclose to the
2.31 athlete or the athlete's legal representation the relevant contractual provisions that are in
2.32 conflict.

3.1 (d) A team contract of a postsecondary educational institution's athletic program must
3.2 not prevent a student athlete from using the athlete's name, image, or likeness for a
3.3 commercial purpose when the athlete is not engaged in official team activities.

3.4 Subd. 6. **Enforcement.** (a) In addition to the remedies otherwise provided by law, any
3.5 person injured by a violation of this section may bring a civil action and recover damages
3.6 and receive other equitable relief as determined by the court.

3.7 (b) A provision of any contract or agreement that is prohibited by this section or which
3.8 waives the provisions of this section is contrary to public policy and shall be void and
3.9 unenforceable. When a contract contains a provision that is void and unenforceable under
3.10 this paragraph, that provision must be severed from the other provisions of the contract that
3.11 may remain enforceable.

3.12 **EFFECTIVE DATE.** This section is effective January 1, 2023."

3.13 Amend the title accordingly