



Legislative Council Staff

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Fiscal Note

Drafting Number:	LLS 23-1020	Date:	April 19, 2023
Prime Sponsors:	Sen. Coleman, Fields; Rep. Herod	Bill Status:	Senate Education
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Bill Topic: **USE OF STUDENT ATHLETE'S NAME IMAGE & LIKENESS**

Summary of Fiscal Impact:	<input type="checkbox"/> State Revenue	<input type="checkbox"/> TABOR Refund
	<input checked="" type="checkbox"/> State Expenditure	<input type="checkbox"/> Local Government
	<input type="checkbox"/> State Transfer	<input type="checkbox"/> Statutory Public Entity

The bill allows institutions of higher education to solicit opportunities for a student athlete to earn compensation for use of their name, image, or likeness. The bill increases workload for institutions of higher education.

Appropriation Summary: No appropriation is required.

Fiscal Note Status: The fiscal note reflects the introduced bill.

Summary of Legislation

The bill allows institutions of higher education to create, solicit, and facilitate opportunities for a student athlete to earn compensation for the use of their name, image, or likeness, as long as the institution first gets the student athlete's consent. An institution must notify the student within 72 hours of the solicitation. The bill also specifies that a charitable organization may compensate a student athlete for use of their name, image, or likeness.

Background

Under current law, an institution of higher education may not prevent a student athlete from earning compensation from their name, image, or likeness or obtaining professional representation. A student athlete cannot enter into a contract that conflicts with a team contract and must disclose contracts to the institution's athletic director within 72 hours of entering into a contract, or before the next scheduled athletic event, whichever happens first.

State Expenditures

Beginning in FY 2023-24, the bill increases workload for institutions of higher education to modify their policies related to student athlete name, image, likeness use, and, if the institution chooses to do so, to solicit opportunities for their athletes.

Effective Date

The bill takes effect 90 days following adjournment of the General Assembly sine die, assuming no referendum petition is filed.

State and Local Government Contacts

Higher Education