

**WITHDRAWN**

Senator Cowser of the 46th offers the following amendment:

1 *Amend the substitute to HB 617 (LC 49 0503S) by inserting after "intercollegiate athletics;"*  
2 *on line 6 "to allow team contracts to provide for pooling arrangements subject to certain*  
3 *conditions; to provide for reports by the board of regents;"*.

4 *By inserting after "definitions;" on line 7 "to provide for multiple effective dates;"*.

5 *By inserting after "(4)" on line 60 "(A)"*.

6 *By inserting after "intercollegiate athletic program" on line 64 "; provided, however, that*  
7 *such contract may provide for a pooling arrangement as provided for in subparagraph (B) of*  
8 *this paragraph"*.

9 *By inserting between lines 64 and 65 the following:*

10 (B) Team contracts may provide for a pooling arrangement whereby student athletes  
11 who receive compensation for the use of their name, image, or likeness pursuant to this  
12 article agree to contribute a portion of the compensation they receive pursuant to such  
13 contract to a fund for the benefit of individuals previously enrolled as student athletes  
14 in the same postsecondary educational institution as such student athlete, provided that  
15 such pooling arrangement meets the following conditions:

16 (i) Student athletes shall not be required to contribute an amount equal to more than  
17 50 percent of the compensation received for the use of their name, image, or likeness  
18 pursuant to this article;

19 (ii) Each postsecondary educational institution shall establish only for the purposes  
20 of this paragraph an escrow account in any bank or lending institution subject to  
21 regulation by this state only;

22 (iii) All contributions from student athletes who receive compensation for the use of  
23 their name, image, or likeness pursuant to this article shall be deposited in such  
24 escrow account by the athletic director of the postsecondary educational institution,  
25 or his or her designee;

26 (iv) Upon graduation or withdrawal for at least 12 months from the postsecondary  
27 educational institution, individuals who were student athletes prior to such graduation  
28 or withdrawal, shall be eligible to receive a pro rata share of the pooled contributions  
29 based on the number of months the individual was a student athlete; and

30 (v) The postsecondary educational institution shall provide for the implementation  
31 of the provisions of this paragraph in a manner that does not discriminate against or  
32 treat differently individuals based upon race, gender, or other personal status  
33 protected by federal or state law.

34 *By deleting the quotation mark on line 98 and inserting after line 98 the following:*

35 20-3-683.

36 (a) Not later than December 1, 2021, the board of regents shall provide a written summary  
37 to the chairpersons of the House Committee on Appropriations, the Senate Appropriations  
38 Committee, the House Committee on Higher Education, and the Senate Higher Education  
39 Committee of both of the following:

40 (1) Progress made by the National Collegiate Athletic Association toward the  
41 development of a national policy, including, but not limited to, updates to relevant bylaws  
42 and rules, on student athlete name, image, and likeness compensation, as directed by such  
43 association's board of governors on October 29, 2019; and

44 (2) Progress made by the United States Congress on legislation on student athlete name,  
45 image, and likeness compensation, including, but not limited to, the Congressional  
46 Advisory Commission on Intercollegiate Athletics Act of 2019, as proposed by H.R.  
47 5528 of the 116th Congress.

48 (b) By February 1, 2022, the board of regents shall provide to the chairpersons of the  
49 House Committee on Higher Education and the Senate Higher Education Committee a  
50 written summary of the preparedness of each institution of the University System of  
51 Georgia toward implementation of this Act."

52 *By inserting after line 99 the following:*

53 (a) Except as provided in subsection (b) of this section, this Act shall become effective upon  
54 passage of a joint resolution that is signed by the Governor ratifying this Act by both houses  
55 of the Georgia General Assembly upon the occurrence of the following events:

56 (1) The Attorney General provides a written opinion to the chairpersons of the House  
57 Committee on Higher Education and the Senate Higher Education Committee that the  
58 provisions of this Act are not prohibited, in whole or in part, by an act of the United  
59 States Congress or other federal law, rule, or regulation relating to student athlete name,  
60 image, or likeness compensation; and

61 (2) The board of regents provides written notice to the chairpersons of the House  
62 Committee on Higher Education and the Senate Higher Education Committee that the  
63 provisions of this Act are not prohibited, in whole or in part, by any policy, rule, or  
64 regulation of the National Collegiate Athletic Association or any other intercollegiate  
65 athletic association relating to student athlete name, image, or likeness compensation.

66 (b) The provisions of this Act relating to reporting requirements by the board of regents shall  
67 become effective on July 1, 2021.

68

### **SECTION 3.**