

**ADOPTED**

Senator Cowser of the 46th offered the following amendment:

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

3 *By inserting after "definitions;" on line 7 "to provide for contingent effectiveness;".*

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

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

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

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

15 (i) Student athletes shall not be required to contribute an amount equal to more than  
16 75 percent of the compensation received for the use of their name, image, or likeness  
17 pursuant to this article;

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

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

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

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

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

34 20-3-683.

35 This article shall become effective upon the occurrence of the following events:

36 (1) Any federal law is enacted after March 31, 2021, regulating the rights of student  
37 athletes to receive compensation for the use of their name, image, or likeness; and

38 (2) Any policy, rule, or regulation is adopted after March 31, 2021, which allows student  
39 athletes to receive compensation for the use of their name, image, or likeness."