

SENATE BILL No. 474

By Committee on Ways and Means

2-26

Proposed Amendments for SB 474
Senate Committee on Commerce
March 9, 2020
Prepared by Chuck Reimer
Office of Revisor of Statutes

1 AN ACT concerning postsecondary educational institution student
2 athletes; relating to compensation for the use of a student athlete's
3 name, image, likeness rights or athletic reputation.

4
5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. As used in this act:

7 (a) "Act" means sections 1 through 6, and amendments thereto.

8 (b) "Athletic association" means an athletic association, conference or
9 other group or organization with authority over, or that is recognized as a
10 regulatory or promotional authority by, postsecondary educational
11 institutions participating in intercollegiate athletics, including, but not
12 limited to, the national collegiate athletic association.

13 (c) "Athlete agent" means an athlete agent as defined in the uniform
14 athlete agents act who has obtained and maintains a current certificate of
15 registration as set forth in the uniform athlete agents act and who complies
16 with the federal sports agent responsibility and trust act, 15 U.S.C. § 7801
17 et seq., established in chapter 104 of title 15 of the United States code.

18 (d) "Intercollegiate athletics" means sports played at the collegiate
19 level for which eligibility requirements for participation by a student
20 athlete are established by an athletic association that promotes or regulates
21 collegiate athletics.

22 (e) "Postsecondary educational institution" means a public or private
23 institution in this state that offers a degree or course of study beyond grade
24 12 and its controlled athletics entities. "Postsecondary educational
25 institution" includes a technical college, municipal university, community
26 college, college, university, state educational institution and not-for-profit
27 corporation controlled by an educational institution for the sole purpose of
28 operating its athletic program.

29 (f) "Student athlete" or "athlete" means a participant in varsity
30 intercollegiate athletics who is a student at a postsecondary educational
31 institution registered for courses full-time on the first day of class of a
32 semester, session or term or who practices or competes in intercollegiate
33 athletics.

34 Sec. 2. (a) A postsecondary educational institution shall not create or
35 enforce any rule, requirement, standard or other limitation that prevents a
36 student athlete of that institution from earning compensation as a result of

"Postsecondary educational institution" shall not include any accredited not-for-profit postsecondary educational institution with a physical presence in this state that is exempted from the Kansas private and out-of-state postsecondary educational institution act if such institution elects to be exempted from the provisions of this act.