

HOUSE AMENDMENT NO. ____
TO
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Offered By

AMEND House Amendment No. ____ to House Committee Substitute for Senate Bill No. 330, Page 1, Line 1, by deleting all of said line and inserting in lieu thereof the following:

"AMEND House Committee Substitute for Senate Bill No. 330, Page 1, Section A, Line 12, by inserting after all of said section and line the following:

"173.280. 1. As used in this section, the following terms mean:

(1) "Athlete", an individual who participates or has participated in an intercollegiate sport for a postsecondary educational institution. "Athlete" shall not be construed to apply to an individual's participation in a college intramural sport or in a professional sport outside of intercollegiate athletics;

(2) "Athletic association", an entity with athletics governance authority that is composed of postsecondary educational institutions and athletic conferences;

(3) "Athletic conference", an entity that has athletics governance authority, is a member of an athletic association, and has a membership composed of postsecondary educational institutions that compete against other postsecondary educational institutions. "Athletic conference" includes a collaboration of such entities, such as the autonomy conferences;

(4) "Certification", the process of developing and enforcing professional and legal policies and practices;

(5) "Group", three or more athletes from the same sport;

(6) "Group licensing", any agreement to allow a third party the right to use the name, image, likeness rights, or athletic reputation of a group;

(7) "Postsecondary educational institution", any campus of a public or private institution of higher education in this state that is subject to the coordinating board for higher education under section 173.005;

(8) "Third party", any individual or entity other than a postsecondary educational institution, athletic conference, or athletic association.

2. (1) No postsecondary educational institution shall uphold any rule, requirement, standard, or other limitation that prevents a student of that institution from fully participating in

Action Taken _____ Date _____

1 intercollegiate athletics without penalty and earning compensation as a result of the use of the
2 student's name, image, likeness rights, or athletic reputation. Earning compensation from the use of
3 a student's name, image, likeness rights, or athletic reputation shall not affect the student's grant-in-
4 aid or stipend eligibility, amount, duration, or renewal.

5 (2) No postsecondary educational institution shall interfere with or prevent a student from
6 fully participating in intercollegiate athletics or obtaining professional representation in relation to
7 contracts or legal matters including, but not limited to, representation provided by athlete agents,
8 financial advisors, or legal representation provided by attorneys.

9 3. A grant-in-aid or stipend from the postsecondary educational institution in which a
10 student is enrolled shall not be construed to be compensation for use of the student's name, image,
11 likeness rights, or athletic reputation for purposes of this section, and no grant-in-aid or stipend shall
12 be revoked or reduced as a result of a student earning compensation under this section.

13 4. (1) No student athlete shall enter into an apparel, equipment, or beverage contract
14 providing compensation to the athlete for use of the athlete's name, image, likeness rights, or athletic
15 reputation if the contract requires the athlete to display a sponsor's apparel, equipment, or beverage
16 or otherwise advertise for the sponsor during official team activities if such provisions are in conflict
17 with a provision of the athlete's team contract.

18 (2) Any student athlete who enters into a contract providing compensation to the athlete for
19 use of the athlete's name, image, likeness rights, or athletic reputation shall disclose the full contract
20 to an official of the postsecondary educational institution, with such official to be designated by
21 such institution. No institution or its designated official shall disclose terms of an athlete's contract
22 that the athlete or the athlete's legal representation deems to be a trade secret or nondisclosable.

23 (3) An institution asserting a conflict described in subdivision (1) of this subsection shall
24 disclose to the student athlete or the athlete's legal representation the full contract the institution
25 asserts to be in conflict. No athlete or member of the athlete's legal representation shall disclose
26 terms of an institution's contract that the institution deems to be a trade secret or nondisclosable.

27 5. No team contract of a postsecondary educational institution's athletic program shall
28 prevent a student athlete from receiving compensation for using the athlete's name, image, likeness
29 rights, or athletic reputation for a commercial purpose when the athlete is not engaged in official
30 mandatory team activities that are recorded in writing and made publicly available. Such team
31 activities shall not exceed twenty hours per week during the season and eight hours per week during
32 the off-season.

33 6. (1) Postsecondary educational institutions that enter into commercial agreements that
34 directly or indirectly require the use of an athlete's name, image, likeness, or athletic reputation shall
35 conduct a financial development program of up to fifteen hours in duration once per year for their
36 athletes.

37 (2) The financial development program shall not include any marketing, advertising,
38 referral, or solicitation by providers of financial products or services.

39 7. (1) Postsecondary educational institutions shall help distribute informational materials as
40 needed.

41 (2) Postsecondary educational institutions shall inform their athletes of such meetings and

1 provide appropriate meeting space.

2 8. Athlete attorney representation shall be by persons licensed by this state.

3 9. (1) Any athlete may bring a civil action against third parties that violate this section for
4 appropriate injunctive relief or actual damages, or both. Such action shall be brought in the county
5 where the violation occurred, or is about to occur, and the court shall award damages, court costs,
6 and reasonable attorney's fees to a prevailing plaintiff.

7 (2) Students and state or local prosecutors seeking to prosecute violators of this section shall
8 not be deprived of any protections provided under law with respect to a controversy that arises and
9 shall have the right to adjudicate claims that arise under this section.

10 10. Legal settlements shall not permit noncompliance with this section.

11 11. This section shall apply only to agreements or contracts entered into, modified, or
12 renewed on or after July 1, 2022. Such agreements or contracts include, but are not limited to, the
13 national letter of intent, an athlete's financial aid agreement, commercial contracts in the athlete
14 group licensing market, and athletic conference or athletic association rules or bylaws.

15 12. The state of Missouri hereby requests that any federal legislation relating to this section
16 respect and permit Missouri college athletes' rights, protections, and other provisions included in
17 this section."; and

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19 Further amend said bill, Page 92, Section 436.263, Line 5, by"; and

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21 Further said amendment Page 1, Line 2, by inserting after all of said line the following:

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23 "Further amend said bill, Page 92, Section B, Line 3, by inserting after all of said section and line
24 the following:

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26 "Section C. Because of the importance of financial needs of certain students of the state of
27 Missouri, the enactment of section 173.280 of this act is deemed necessary for the immediate
28 preservation of the public health, welfare, peace, and safety, and is hereby declared to be an
29 emergency act within the meaning of the constitution, and the enactment of section 173.280 of this
30 act shall be in full force and effect upon its passage and approval."; and"; and

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32 Further amend said bill by amending the title, enacting clause, and intersectional references
33 accordingly.

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35 This amends amendment 1247H03.03H