

ONE HUNDRED SEVENTH LEGISLATURE - SECOND SESSION - 2022
COMMITTEE STATEMENT
LB1137

Hearing Date: Monday January 31, 2022
Committee On: Business and Labor
Introducer: Hunt
One Liner: Rename and change provisions of the Fair Pay to Play Act

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:
Aye: 7 Senators Blood, Gragert, Halloran, Hansen, M., Hansen, B., Hunt, Lathrop
Nay:
Absent:
Present Not Voting:

Oral Testimony:

Proponents:
Jamie Vaughn
Kyle Waterstone

Representing:
University of Nebraska System
Creighton University

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

SUMMARY:

Change the Fair Pay to Play Act to the Student-Athlete Name, Image, or Likeness Rights Act to reflect the verbiage used on the national level. Any money received by the student-athlete must be for services actually performed. Postsecondary institutions may implement rules and regulations relating to this act and also provide guidance and educational programs for student athletes in relation to this Act.

SECTION BY SECTION SUMMARY:

Sec. 1: 48-3601 to 48-3609 shall be known as the Nebraska Student-Athlete Name, Image, or Likeness Rights Act.

Sec. 3: For the purses of the Act the compensation a student-athlete earns must be for services actually performed. They shall not be paid for contracts that extend beyond their participation in an athletic program, involve the sale of awards, involve compensation from a postsecondary institution or a postsecondary institution employees, or provide compensation for work not performed.

They shall not enter into contracts involving products, services, entities, or activities reasonably deemed to be inconsistent with the educational mission of the postsecondary institution.

Postsecondary institutions may establish and enforce standards, requirements, regulations, or obligations for such postsecondary institution's students not inconsistent with this act.

Nothing in the Act grants to a student-athlete the right to use any name, trademark, service mark, logo, symbol, or other intellectual property that belongs to the postsecondary institution, regardless of whether the intellectual property is registered, to further their opportunities to earn compensation for the use of their name, image, or likeness.

Sec. 4: Change contract to contract or agreement throughout

Sec. 6: A postsecondary institution may offer education and training to aid student-athletes in opportunities relating to NIL involving networking, communication, brand-building, finance and compliance.

Sec. 10: Repealer

Ben Hansen, Chairperson