State of Arizona
House of Representatives
Fifty-fourth Legislature
Second Regular Session
2020

HOUSE BILL 2143

AN ACT

AMENDING TITLE 15, CHAPTER 14, ARIZONA REVISED STATUTES, BY ADDING ARTICLE 14: RELATING TO POSTSECONDARY INSTITUTIONS.

(TEXT OF BILL BEGINS ON NEXT PAGE)
Be it enacted by the Legislature of the State of Arizona:

Section 1. Title 15, chapter 14, Arizona Revised Statutes, is amended by adding article 14, to read:

ARTICLE 14. COLLEGIATE ATHLETICS

15-1899. Collegiate athletics; student athletes; compensation; representation; definitions

A. EXCEPT AS PROVIDED IN SUBSECTION C, PARAGRAPH 1 OF THIS SECTION, A POSTSECONDARY EDUCATION INSTITUTION MAY NOT UPHOLD ANY RULE, REQUIREMENT, STANDARD OR OTHER LIMITATION THAT PREVENTS A STUDENT ATHLETE OF THAT INSTITUTION FROM EARNING COMPENSATION AS A RESULT OF THE USE OF THE STUDENT ATHLETE'S NAME, IMAGE OR LIKENESS. EARNING COMPENSATION FROM THE USE OF A STUDENT ATHLETE'S NAME, IMAGE OR LIKENESS DOES NOT AFFECT THE STUDENT ATHLETE'S SCHOLARSHIP ELIGIBILITY.

B. AN ATHLETIC ASSOCIATION, ATHLETIC CONFERENCE OR OTHER GROUP OR ORGANIZATION WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETICS, INCLUDING A NATIONAL COLLEGIATE ATHLETIC ASSOCIATION, MAY NOT PREVENT EITHER:

1. A STUDENT ATHLETE OF A POSTSECONDARY EDUCATION INSTITUTION FROM EARNING COMPENSATION AS A RESULT OF THE USE OF THE STUDENT ATHLETE'S NAME, IMAGE OR LIKENESS.

2. A POSTSECONDARY EDUCATION INSTITUTION FROM PARTICIPATING IN INTERCOLLEGIATE ATHLETICS AS A RESULT OF A STUDENT ATHLETE BEING COMPENSATED FOR THE USE OF THE STUDENT ATHLETE'S NAME, IMAGE OR LIKENESS.

C. A POSTSECONDARY EDUCATION INSTITUTION, ATHLETIC ASSOCIATION, ATHLETIC CONFERENCE OR OTHER GROUP OR ORGANIZATION WITH AUTHORITY OVER INTERCOLLEGIATE ATHLETICS MAY NOT:

1. PROVIDE A PROSPECTIVE STUDENT ATHLETE WITH COMPENSATION IN RELATION TO THE USE OF THE STUDENT ATHLETE'S NAME, IMAGE OR LIKENESS.

2. PREVENT A STUDENT ATHLETE IN THIS STATE FROM OBTAINING PROFESSIONAL REPRESENTATION IN RELATION TO CONTRACTS OR LEGAL MATTERS, INCLUDING REPRESENTATION BY AN ATHLETE AGENT OR LEGAL REPRESENTATION BY AN ATTORNEY. PROFESSIONAL REPRESENTATION OBTAINED BY STUDENT ATHLETES SHALL BE PROVIDED BY PERSONS WHO ARE LICENSED BY THIS STATE, IF APPLICABLE.

D. AN ATHLETE AGENT REPRESENTING A STUDENT ATHLETE SHALL COMPLY WITH BOTH OF THE FOLLOWING:

1. THE SPORTS AGENT RESPONSIBILITY AND TRUST ACT (P.L. 108–304; 118 STAT. 1125).

2. CHAPTER 13, ARTICLE 10 OF THIS TITLE.

E. A SCHOLARSHIP FROM THE POSTSECONDARY EDUCATION INSTITUTION IN WHICH A STUDENT ATHLETE IS ENROLLED THAT PROVIDES THE STUDENT ATHLETE WITH THE COST OF ATTENDING THAT INSTITUTION IS NOT COMPENSATION FOR THE PURPOSES OF THIS SECTION, AND A SCHOLARSHIP MAY NOT BE REVOKED AS A RESULT OF THE STUDENT ATHLETE EARNING COMPENSATION OR OBTAINING REPRESENTATION IN ACCORDANCE WITH THIS SECTION.
F. A student athlete may not enter into a contract providing compensation to the student athlete for the use of the student athlete's name, image or likeness if a provision of the contract conflicts with a provision of the student athlete's team contract. A student athlete who enters into a contract providing compensation to the student athlete for the use of the student athlete's name, image or likeness shall disclose the contract to an official of the postsecondary education institution at which the student athlete is enrolled who is designated by the postsecondary education institution. A postsecondary education institution asserting a conflict described in this subsection shall disclose to the student athlete or the student athlete's representative the relevant contractual provisions that are in conflict.

G. A team contract of a postsecondary education institution's athletic program may not prevent a student athlete from using the student athlete's name, image or likeness for a commercial purpose when the athlete is not engaged in official team activities. This subsection applies only to contracts entered into, modified or renewed on or after September 1, 2021.

H. A public or private university or college of another state may not offer a student of this state an athletics contract or conduct in-person recruiting with a student athlete without first disclosing to the student athlete in writing all prohibitions of the university's or college's home state regarding the use of the student athlete's name, image or likeness.

I. For the purposes of this section:
1. "Postsecondary education institution" includes a university under the jurisdiction of the Arizona Board of Regents, a community college as defined in section 15-1401 and a private college or university.
2. "Student athlete" means a student of a postsecondary education institution who participates in intercollegiate athletics.

Sec. 2. Intent clause
The legislature intends to monitor rules and regulations passed by any national organization with authority over collegiate sports to ensure state law does not conflict in a way that would prevent Arizona institutions or college students from competing in athletic competition.

Sec. 3. Effective date
This act is effective from and after December 31, 2022.