

COMMITTEE AMENDMENT
HOUSE OF REPRESENTATIVES
State of Oklahoma

SPEAKER:

CHAIR:

I move to amend HB3347 _____
Of the printed Bill
Page _____ Section _____ Lines _____
Of the Engrossed Bill

By striking the Title, the Enacting Clause, the entire bill, and by inserting in lieu thereof the following language:

AMEND TITLE TO CONFORM TO AMENDMENTS

Adopted: _____

Amendment submitted by: Mickey Dollens _____

Reading Clerk

1 STATE OF OKLAHOMA

2 2nd Session of the 57th Legislature (2020)

3 PROPOSED COMMITTEE
4 SUBSTITUTE
5 FOR
6 HOUSE BILL NO. 3347

By: Dollens and Nichols

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8 PROPOSED COMMITTEE SUBSTITUTE

9 An Act relating to student athletes; prohibiting
10 certain entities from preventing student athletes
11 from receiving compensation for use of the student's
12 name, image or likeness; prohibiting certain other
13 acts relating to compensation of student athletes for
14 the use of the student's name, image or likeness;
15 providing requirements for professional
16 representation of student athletes; providing that
17 scholarships are not compensation; providing
18 limitations on contracts; providing for codification;
19 and providing an effective date.

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BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. NEW LAW A new section of law to be codified
in the Oklahoma Statutes as Section 824 of Title 70, unless there is
created a duplication in numbering, reads as follows:

A. An institution within The Oklahoma State System of Higher
Education or a private educational institution, as defined by
Section 3102 of Title 70 of the Oklahoma Statutes, shall not uphold
any rule, requirement, standard or other limitation that prevents a

1 student of that institution who is participating in intercollegiate
2 athletics from earning compensation as a result of the use of the
3 student's name, image or likeness. Earning compensation from the
4 use of a student's name, image or likeness shall not affect the
5 student's scholarship eligibility.

6 B. An athletic association, conference or other group or
7 organization with authority over intercollegiate athletics,
8 including, but not limited to, the National Collegiate Athletic
9 Association, shall not prevent:

10 1. A student of an institution within The Oklahoma State System
11 of Higher Education or private educational institution who is
12 participating in intercollegiate athletics from earning compensation
13 as a result of the use of the student's name, image or likeness; or

14 2. An institution within The Oklahoma State System of Higher
15 Education or private educational institution from participating in
16 intercollegiate athletics as a result of the compensation of a
17 student athlete for the use of the student's name, image or
18 likeness.

19 C. An institution within The Oklahoma State System of Higher
20 Education, private educational institution, athletic association,
21 conference or other group or organization with authority over
22 intercollegiate athletics shall not:

23 1. Provide a prospective student athlete with compensation in
24 relation to the athlete's name, image or likeness; or

1 2. Prevent a student participating in intercollegiate athletics
2 from obtaining professional representation in relation to contracts
3 or legal matters, including, but not limited to, representation
4 provided by athlete agents or legal representation provided by
5 attorneys.

6 D. Professional representation provided by athlete agents shall
7 be by persons licensed pursuant to the Uniform Athlete Agents Act or
8 superseding law. Athlete agents representing student athletes also
9 shall comply with the federal Sports Agent Responsibility and Trust
10 Act, established in Chapter 104, Section 7801 et seq. of Title 15 of
11 the United States Code, in their relationships with student
12 athletes.

13 E. Legal representation of student athletes shall be by
14 attorneys licensed to practice law in this state.

15 F. A scholarship from an institution within The Oklahoma State
16 System of Higher Education or private educational institution in
17 which a student is enrolled that provides the student with the cost
18 of attendance at that institution is not compensation for purposes
19 of this section, and a scholarship shall not be revoked as a result
20 of earning compensation or obtaining legal representation pursuant
21 to this section.

22 G. 1. A student athlete shall not enter into a contract
23 providing compensation to the athlete for use of the athlete's name,
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1 image or likeness if a provision of the contract is in conflict with
2 a provision of the athlete's team contract.

3 2. A student athlete who enters into a contract providing
4 compensation to the athlete for use of the athlete's name, image or
5 likeness shall disclose the contract to an official of the
6 institution of higher education in which the athlete is enrolled, to
7 be designated by the institution.

8 3. An institution asserting a conflict described in paragraph 1
9 of this subsection shall disclose to the athlete or the athlete's
10 agent or legal representation the relevant contractual provisions
11 that are in conflict.

12 H. Any athletic program team contract of an institution within
13 The Oklahoma State System of Higher Education or private educational
14 institution entered into, modified or renewed on or after September
15 1, 2023, shall not prevent a student athlete from using the
16 athlete's name, image or likeness for a commercial purpose when the
17 athlete is not engaged in official team activities.

18 SECTION 2. This act shall become effective September 1, 2023.

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