

STAND. COM. REP. NO.

3271

Honolulu, Hawaii

FEB 28 2020

RE: S.B. No. 2673  
S.D. 2

Honorable Ronald D. Kouchi  
President of the Senate  
Thirtieth State Legislature  
Regular Session of 2020  
State of Hawaii

Sir:

Your Committee on Judiciary, to which was referred S.B. No. 2673, S.D. 1, entitled:

"A BILL FOR AN ACT RELATING TO INTERCOLLEGIATE ATHLETICS,"

begs leave to report as follows:

The purpose and intent of this measure is to establish the right of postsecondary student athletes in intercollegiate athletics to receive compensation for the use of their name, image, or likeness.

Your Committee received testimony in opposition to this measure from the University of Hawai'i System. Your Committee received comments on this measure from the Department of the Attorney General.

Your Committee finds that college athletes are prohibited from receiving compensation for the use of their name, image, or likeness even though top athletes bring large profits to the universities for which they compete on behalf of. In 2019, the National Collegiate Athletic Association announced its intent to allow student athletes to be compensated for the use of their name, image, or likeness, although more work is being done to develop the rules for implementation. This measure establishes a student athlete bill of rights to enable athletes in intercollegiate athletics throughout the State to receive compensation for the use of their name, image, or likeness.



Your Committee has amended this measure by:

- (1) Inserting a preamble stating that this measure is a matter of statewide concern that addresses a legitimate and significant public purpose;
- (2) Applying it to all postsecondary institutions, not just the University of Hawaii;
- (3) Clarifying that to the extent allowed by law, no postsecondary educational institution shall prevent a student athlete of the institution participating in intercollegiate athletics from earning compensation as a result of the use of the student athlete's name, image, or likeness;
- (4) Inserting an effective date of June 18, 2050, to encourage further discussion; and
- (5) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the members of your Committee on Judiciary that is attached to this report, your Committee is in accord with the intent and purpose of S.B. No. 2673, S.D. 1, as amended herein, and recommends that it pass Third Reading in the form attached hereto as S.B. No. 2673, S.D. 2.

Respectfully submitted on  
behalf of the members of the  
Committee on Judiciary,



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KARL RHOADS, Chair



