
A BILL FOR AN ACT

RELATING TO INTERCOLLEGIATE ATHLETICS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that the restriction on
2 student athletes of institutions participating in
3 intercollegiate athletics from earning compensation as a result
4 of the use of the student athlete's name, image, or likeness is
5 a matter of statewide concern. The legislature further finds
6 that this Act addresses a legitimate and significant public
7 purpose. The stories are numerous of intercollegiate athletes
8 generating millions of dollars in revenue for their institution,
9 while they themselves must go hungry due to strict restrictions
10 on what, if any, benefits they can receive in return. This
11 measure would address these types of inequitable situations.

12 SECTION 2. The Hawaii Revised Statutes is amended by
13 adding a new chapter to be appropriately designated and to read
14 as follows:

15 "CHAPTER

16 STUDENT ATHLETE BILL OF RIGHTS



1 **§ -1 Postsecondary educational institutions; student**
2 **compensation; scholarship eligibility.** To the extent allowed by
3 law, no postsecondary educational institution shall prevent a
4 student athlete of the institution participating in
5 intercollegiate athletics from earning compensation as a result
6 of the use of the student athlete's name, image, or likeness.
7 Earning compensation from the use of a student athlete's name,
8 image, or likeness shall not affect the student athlete's
9 scholarship eligibility.

10 **§ -2 Athletic associations; student compensation;**
11 **school eligibility.** (a) No athletic association, conference,
12 or other group or organization with authority over
13 intercollegiate athletics shall prevent a student athlete of a
14 postsecondary educational institution who is participating in
15 intercollegiate athletics from earning compensation as a result
16 of the use of the student athlete's name, image, or likeness.
17 (b) No athletic association, conference, or other group or
18 organization having authority over intercollegiate athletics
19 shall prevent a postsecondary educational institution from
20 participating in intercollegiate athletics as a result of the



1 compensation of a student athlete for the use of the student
2 athlete's name, image, or likeness.

3 **§ -3 Prospective student athletes; professional**
4 **representation.** (a) No postsecondary educational institution,
5 athletic association, conference, or other group or organization
6 having authority over intercollegiate athletics shall provide a
7 prospective student athlete with compensation in relation to the
8 student athlete's name, image, or likeness; provided that a
9 scholarship from the postsecondary educational institution in
10 which a student athlete is enrolled that provides the student
11 athlete with the cost of attendance at that institution is not
12 compensation for purposes of this section, and a scholarship
13 shall not be revoked as a result of earning compensation or
14 obtaining legal representation pursuant to this section.

15 (b) No postsecondary educational institution, athletic
16 association, conference, or other group or organization having
17 authority over intercollegiate athletics shall prevent a student
18 athlete participating in intercollegiate athletics from
19 obtaining professional representation in relation to contracts
20 or legal matters.



1 § -4 Athletic contracts; team contracts; conflicts;
2 disclosure; official team activities. (a) No student athlete
3 shall enter into a contract providing compensation to the
4 student athlete for use of the student athlete's name, image, or
5 likeness if a provision of the contract is in conflict with a
6 provision of the student athlete's team contract.

7 (b) A student athlete who enters into a contract providing
8 compensation to the student athlete for use of the student
9 athlete's name, image, or likeness shall disclose the contract
10 to an official of the institution, to be designated by the
11 institution.

12 (c) An institution asserting a conflict described in
13 subsection (a) shall disclose to the student athlete or the
14 student athlete's attorney the relevant contractual provisions
15 that are in conflict.

16 (d) No team contract of a postsecondary educational
17 institution's athletic program shall prevent a student athlete
18 from using the student athlete's name, image, or likeness for a
19 commercial purpose when the student athlete is not engaged in
20 official team activities.



1 § -5 **Sanction.** Any person who violates this chapter
2 shall be deemed to have engaged in an unfair or deceptive act or
3 practice pursuant to section 480-2."

4 SECTION 3. This Act does not affect rights and duties that
5 matured, penalties that were incurred, and proceedings that were
6 begun before its effective date.

7 SECTION 4. This Act shall take effect on June 18, 2050.



S.B. NO. 2673
S.D. 2

Report Title:

Intercollegiate Student Athletics; Compensation

Description:

Establishes the right of postsecondary student athletes in intercollegiate athletics to receive compensation for the use of their name, image, or likeness. Takes effect 6/18/2050. (SD2)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

