

# AMATEUR ATHLETES PROTECTION & COMPENSATION ACT

*Introduced by Senator Jerry Moran (R-Kan.)*

College athletics is a booming, billion-dollar industry, but currently most student athletes are still prohibited from receiving compensation for their participation in athletics. For years, student athletes have requested the National Collegiate Athletic Association (NCAA) modernize its rules to allow athletes to profit from their name, image and likeness (NIL). Since the NCAA has yet to establish new and comprehensive rules on NIL, many states have changed their laws.

On September 30, 2019, California Governor Gavin Newsom signed the *Fair Pay to Play Act* into law, becoming the first state to pass its own set of rules to govern NIL.

A patchwork of state laws for NIL would create a cumbersome system schools and athletes alike would find difficult to navigate. To maintain the spirit of college athletics, where the best student athletes compete against one another no matter their geographic location, federal legislation is needed to create a uniform standard for laws pertaining to college athletics, NIL and amateur athletic compensation.

***The Amateur Athletes Protection and Compensation Act of 2021*** would:

-  **Allow athletes greater control of their NIL**  
This bill prohibits the NCAA, athletic conferences or schools from rendering an amateur intercollegiate athlete ineligible on the basis of entering into a contract or receiving covered compensation.
-  **Provide additional protection to athletes**  
This bill requires institutions to cover the health care cost related to athletic injuries or illness. It also requires institutions to honor any grant-in-aid until an athlete has completed their undergraduate degree and prohibits the revocation of any grant-in-aid on the basis of athletic performance.
-  **Entrust rulemaking and enforcement to an independent body**  
This bill establishes the Amateur Intercollegiate Athletics Corporation to create and enforce rules and best practices as it relates to NIL, create and enforce a formal certification process for amateur athlete representatives and enforce this Act.
-  **Establish one set of rules to govern all college athletics**  
This bill preempts any law, state or local, which is inconsistent with this Act or otherwise governs or regulates the compensation, intellectual property rights, endorsement contracts, employment status or eligibility of amateur intercollegiate athletes.
-  **Protect athletes' status as students**  
This bill ensures athletes will not be considered employees of their institutions, a conference or a national amateur athletic association based on their participation in sports.