



# 130th MAINE LEGISLATURE

## SECOND REGULAR SESSION-2022

---

Legislative Document

No. 1893

---

S.P. 663

In Senate, January 5, 2022

---

### **An Act Regarding the Use of a Student Athlete's Name, Image, Likeness or Autograph**

---

Approved for introduction by a majority of the Legislative Council pursuant to Joint Rule 203.

Reference to the Committee on Education and Cultural Affairs suggested and ordered printed.

A handwritten signature in black ink, appearing to read 'D M Grant'.

DAREK M. GRANT  
Secretary of the Senate

Presented by Senator LUCHINI of Hancock.  
Cosponsored by Representative: BRENNAN of Portland.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 20-A MRSA c. 443** is enacted to read:

3 **CHAPTER 443**

4 **STUDENT ATHLETES**

5 **§12971. Definitions**

6 As used in this chapter, unless the context otherwise indicates, the following terms  
7 have the following meanings.

8 **1. College or university.** "College or university" means a postsecondary educational  
9 institution in the State, including:

10 A. A degree-granting educational institution regulated under chapter 409;

11 B. A university in the University of Maine System;

12 C. A college in the Maine Community College System; and

13 D. The Maine Maritime Academy.

14 **2. Institutional contract.** "Institutional contract" means a contract between a college  
15 or university or its designated representative and an external party that includes a  
16 sponsorship agreement governing the use of the college or university's trademarks in  
17 connection with athletics.

18 **3. Team contract.** "Team contract" means a contract between a student athlete and a  
19 college or university and includes any rules or expectations of the college or university's  
20 athletic department or head coach that require a student athlete's compliance as a condition  
21 under the contract of participation as a member of the intercollegiate athletic program.

22 **§12972. Prohibitions**

23 **1. Actions by colleges or universities.** A college or university may not:

24 A. Adopt or enforce a policy, requirement, standard or limitation that prohibits or  
25 otherwise prevents a student athlete who is participating in an intercollegiate athletic  
26 program at the college or university from:

27 (1) Earning compensation for the use of the student athlete's name, image or  
28 likeness when the student athlete is not engaged in official team activities; or

29 (2) Obtaining professional representation, including representation by an attorney,  
30 for contracts or other legal matters relating to the use of the student athlete's name,  
31 image or likeness;

32 B. Disqualify a student athlete who is participating in an intercollegiate athletic  
33 program at a college or university from receiving a scholarship, grant or similar  
34 financial assistance awarded by the college or university because the student athlete:

35 (1) Earns compensation from the use of the student athlete's name, image or  
36 likeness when the student athlete is not engaged in official team activities; or

