AN ACT
RELATING TO ATHLETICS; ENACTING THE STUDENT ATHLETE ENDORSEMENT
ACT; PROHIBITING IMPOSITION OF LIMITATIONS AGAINST STUDENT
ATHLETES AND CERTAIN OTHER INDIVIDUALS EARNING COMPENSATION
FROM THE USE OF THEIR NAME, IMAGE OR LIKENESS; ALLOWING FOR THE
PROFESSIONAL REPRESENTATION OF A STUDENT ATHLETE BY AN AGENT
FOR MATTERS ARISING FROM THE USE OF THE STUDENT ATHLETE'S NAME,
IMAGE OR LIKENESS.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. [NEW MATERIAL] SHORT TITLE.--This act may be
cited as the "Student Athlete Endorsement Act".

SECTION 2. [NEW MATERIAL] DEFINITIONS.--As used in the
Student Athlete Endorsement Act:

A. "post-secondary educational institution" means
an academic, vocational, technical, business, professional or
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other school, college or university or other organization or person offering or purporting to offer courses, instruction, training or education from a physical site in New Mexico, through distance education, correspondence or in person; and

B. "student athlete" means an individual who engages in an intercollegiate sport.

SECTION 3. [NEW MATERIAL] STUDENT ATHLETE COMPENSATION.--

A. A post-secondary educational institution shall not:

(1) prohibit or otherwise prevent a student athlete from earning compensation as a result of the use of the student athlete's name, image or likeness; or

(2) withhold or revoke a scholarship as a result of a student athlete earning compensation or obtaining professional representation pursuant to the Student Athlete Endorsement Act.

B. An athletic association or athletic conference shall not prohibit or otherwise prevent:

(1) a student athlete from earning compensation as a result of the use of the student athlete's name, image or likeness;

(2) an individual who earned compensation as the result of the use of the individual's name, image or likeness before enrollment in a post-secondary educational institution from participating in intercollegiate athletics on
the basis of the individual's earned compensation for the use of the individual's name, image or likeness; or

(3) a post-secondary educational institution from participating in intercollegiate athletics as a result of a student athlete or an individual described pursuant to Paragraph (2) of this subsection earning compensation for the use of the student athlete's or individual's name, image or likeness.

C. A post-secondary educational institution, athletic association or athletic conference shall not provide a student athlete or other individual described pursuant to Paragraph (2) of Subsection B of this section with compensation in relation to the athlete's or individual's name, image or likeness. Nothing in this subsection shall be construed to prohibit a post-secondary educational institution from providing a scholarship to a student athlete for attendance at that post-secondary educational institution, provided that the scholarship is not provided to compensate the student athlete for use of the student athlete's name, image or likeness.

SECTION 4. [NEW MATERIAL] PROFESSIONAL REPRESENTATION.--A post-secondary educational institution, athletic association or athletic conference shall not prohibit or otherwise prevent a student athlete or an individual who may attend a post-secondary educational institution from obtaining professional representation by an agent in relation to contracts or legal
matters arising from the use of the student athlete's or individual's name, image or likeness.

SECTION 5. APPLICABILITY.--The provisions of this act apply to contracts entered into on and after July 1, 2021.

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