

SENATE BILL 1636

By Kelsey

AN ACT to amend Tennessee Code Annotated, Title 49,  
relative to student athletes.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 49, Chapter 7, Part 1, is amended by  
adding the following language as a new section:

(a) As used in this section, "student athlete" has the same meaning as in § 49-7-  
2102.

(b) A public institution of higher education shall not:

(1) Uphold any rule, requirement, standard, or other limitation that  
prevents a student athlete from earning compensation as a result of the use of  
the student athlete's name, image, or likeness;

(2) Prevent a student athlete from obtaining professional representation  
in relation to contracts or legal matters, including, but not limited to,  
representation provided by athlete agents in accordance with part 21 of this  
chapter or legal representation provided by attorneys;

(3) Enter into a contract that prevents a student athlete from using the  
student athlete's name, image, or likeness when the student athlete is not  
engaged in official activities associated with the public institution of higher  
education or a public institution of higher education athletic team;

(4) Discriminate against a student athlete based on an athletic coach's  
donation to the public institution of higher education. As used in this subdivision

(b)(4), "discriminate" includes, but is not limited to, playing or not playing an  
athlete, and awarding or not awarding a scholarship; and

(5) Maintain membership in an athletic association, conference, or other group or organization with authority over intercollegiate athletics, if membership in the group prohibits compliance with this section.

(c) A public institution of higher education, an athletic association, conference, or other group or organization with authority over intercollegiate athletics shall not provide a prospective student athlete with compensation in relation to the athlete's name, image, or likeness.

(d) A student athlete who enters into a contract that provides compensation to the student athlete for use of the student athlete's name, image, or likeness shall disclose the contract to an official of the public institution of higher education at which the student athlete participates in intercollegiate athletics.

(e) A scholarship from a public institution of higher education in which a student is enrolled that provides the student with the cost of attendance at the institution is not compensation for purposes of this section. A public institution of higher education shall not revoke a scholarship as a result of a student athlete earning compensation or obtaining legal representation pursuant to this section.

SECTION 2. This act shall take effect July 1, 2023, the public welfare requiring it, and shall apply to contracts entered into on or after that date.