HOUSE BILL 1084

1   AN ACT Relating to unfair practices involving compensation of
2 athletes in higher education; adding a new section to chapter 19.86
3 RCW; and creating a new section.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5   NEW SECTION. **Sec. 1.** The legislature finds that every student
6 enrolled at an institution of higher education in this state should
7 have an equal right: To earn compensation for services provided; to
8 be paid for the use of his or her name, image, and likeness; and to
9 hire agents to represent the student's interests. The legislature
10 further finds that students should not be compelled to choose between
11 forfeiting these rights and participating in intercollegiate athletic
12 competitions.

13   NEW SECTION. **Sec. 2.** A new section is added to chapter 19.86
14 RCW to read as follows:
15   (1) For the purposes of this section:
16   (a) "Institution of higher education" includes any entity that is
17 an institution of higher education as defined in RCW 28B.10.016 and
18 any other degree-granting institution in this state as defined in RCW
19 28B.85.010.

(b) "Student" means any student enrolled at an institution of
higher education.

 (2) Any student may:

 (a) Receive compensation for services actually provided,
including, but not limited to, payment for the use of the student's
name, image, or likeness, as long as the compensation is commensurate
with the market value of the services provided; and

 (b) Agree to be represented by an agent for any purpose.

 (3) No person may prohibit or suspend any student from competing
in an intercollegiate athletic competition, or otherwise penalize a
student, because the student has engaged in the conduct described in
subsection (2) of this section.

 (4) No person may prohibit or suspend an institution of higher
education's athletic team from competing in an intercollegiate
athletic competition, or otherwise penalize an institution of higher
education, because a student enrolled at the institution of higher
education has engaged in the conduct described in subsection (2) of
this section.

 (5) No person may request or require that an institution of
higher education prohibit or otherwise limit the ability of its
students to engage in the conduct described in subsection (2) of this
section in order for the institution of higher education's students
or athletic teams to be eligible, or remain eligible, to compete in
intercollegiate athletic competitions.

 (6)(a) No person may discipline an institution of higher
education because the institution of higher education:

 (i) Certified the eligibility of, or otherwise permitted, a
student who engaged in the conduct described in subsection (2) of
this section to participate in an intercollegiate athletic
competition; or

 (ii) Did not certify the eligibility of a student to participate
in an intercollegiate athletic competition solely because he or she
engaged in the conduct described in subsection (2) of this section.

 (b) For the purposes of this subsection (6), "discipline"
includes, but is not limited to, terminating or suspending the
membership of an institution of higher education and prohibiting
other members from participating in intercollegiate athletic
competitions with an institution of higher education.

 (7) The legislature finds that the practices covered by this
section are matters vitally affecting the public interest for the

1   purpose of applying this chapter. Violations of subsections (3)
2   through (6) of this section are not reasonable in relation to the
3   development and preservation of business. Violations of subsections
4   (3) through (6) of this section are unfair or deceptive acts in trade
5   or commerce and unfair methods of competition for the purpose of
6   applying this chapter.

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