

**SUMMARY OF SENATE BILLS INTRODUCED,  
OVERSIGHT RESPONSIBILITY FOR NIL (Name, Image, Likeness)**

Sources: Nichole Auerbach, *The Athletic*, and Matt Brown, *Extra Points*

<b>COLLEGE ATHLETES PROTECTION &amp; COMPENSATION ACT</b>	<b>PROTECTING ATHLETES, SCHOOLS, AND SPORTS ACT</b>
<b>Introduced by</b> Corey Booker (D-NJ), Jerry Moran (R-KS), and Blumenthal (D-CT)	<b>Introduced by</b> Joe Manchin (D-WV) and Tommy Tuberville (R-ALA)
<b>Vests oversight responsibility with an independent board, College Athletics Corporation (CAC)</b>	<b>Vests oversight responsibility with the NCAA</b>
Athletes disclose deals to a school-based athletic department official—info will not be made public, and those earning more than \$1k a year would need to disclose specs to that official	Creates a <b>national public registry</b> to record and track NIL
<b>Agents would need to be certified by the CAC, and schools would not be allowed to represent</b> athletes in endorsement deal negotiations	<b>Federal Trade Commission</b> would register NIL agents and collectives, and manage the national NIL registry
(see above)	<b>Collectives/boosters</b> required to be <b>formally affiliated with schools</b>
<b>Pre-empts state laws related to NIL activity</b>	Renders <b>illegal</b> any state law that includes <b>revenue sharing</b>
<b>Athletes required to take courses— financial literacy &amp; lifestyle development</b>	<b>Prohibits certain types of corporate deals with schools,</b> including gambling and alcohol
<b>Medical trust fund</b> would cover athletes’ <b>out-of-pocket expenses for injuries and long-term conditions</b> from participation in college sports	<b>Health insurance for sports-related injuries</b> for <b>uninsured</b> athletes-- <b>8 years following graduation</b>
Coverage includes <b>traumatic brain injuries, heat-related illnesses, and sexual assault,</b> and <b>university medical staff would have autonomous authority</b> regarding <b>medical management</b> and <b>return-to-play decisions.</b>	<b>Health insurance funded by schools</b> or (if approved by <b>conferences and NCAA</b> ) a cut of revenue generated by the <b>CFP and March Madness</b>
<b>Athletes can transfer once—</b> if the transfer <b>occurs out of season</b> and <b>not</b> within <b>60 days of a season’s start</b>	<b>Athletes can only transfer once—</b> <b>after</b> completing their first three years of eligibility

<p style="text-align: center;"><b>Undrafted athletes</b> can return to school <b>within 7 days of the draft</b> as long as they have not accepted compensation from a league, agent, or team</p>	
<p><b>CAC</b> would have the <b>authority to audit and investigate schools</b> and the authority to <b>issue penalties</b>, including lifetime bans</p>	
<p><b>Schools would report to the CAC revenues/expenditures</b> for each sport, the <b>average number of hours athletes</b> spend on sports, and their <b>academic outcomes</b></p>	

**NOTE:** Per Prof. Sam C. Ehrlich, Boise State law professor, the Booker et al. bill may not pass Constitutional muster.

*“Due to a Constitutional Law concept called the **private non-delegation doctrine**, the Federal government’s power can only be wielded by the federal government, and Congress cannot delegate its legislative authority to a private entity.”* If ruled that way, the CAC could not be created. SOURCE: *Extra Points*, July 27, 2023