

COLLEGE ATHLETE COMPENSATION: REVISE EFFECTIVE DATES OF ACT

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House Bill 5183 as introduced
Sponsor: Rep. Joe Tate
Committee: Oversight
Complete to 10-7-21

SUMMARY:

House Bill 5183 would amend 2020 PA 366, which allows college athletes to earn compensation for the use of their name, image, or likeness rights, to retroactively revise several effective dates in that act.

Enrolled House Bill 5217 of the 2019-20 legislative session was enacted into law as 2020 PA 366.¹ The new act took effect January 4, 2021—the date HB 5217 was filed with the secretary of state after having been signed by the governor and passed by the legislature with immediate effect.

Enrolled House Bill 5217 contained two identical effective date provisions, section 11 of the new act and enacting section 1 of the bill. These sections both provide for the new act to take effect December 31, 2022—except for section 9 of the act, which took effect on the effective date of the bill (January 4, 2021).

Section 9 of the act requires any nonprofit trade association representing a Michigan college or university to provide to the chairs of the appropriations committees of the House and Senate and the chair of the House Committee on Ways and Means² a written summary of the preparedness of the association's respective member institutions toward implementation of the act. This report is due by June 30, 2022.

The bill would make the following changes:

- Section 9, the provision pertaining to nonprofit trade associations, would be effective as of December 31, 2020, instead of January 4, 2021.
- The report to the legislature by nonprofit trade associations under section 9 would be due by June 30, 2021, instead of June 30, 2022.
- The remaining provisions of the act (sections 1 to 8 and 10) would take effect on December 31, 2021, instead of December 31, 2022.
- Enacting section 1 of Enrolled House Bill 5217, which duplicates the effective dates for the new act as prescribed in section 11 of the act, would be repealed.

MCL 390.1739 and 390.1741

¹ <https://www.legislature.mi.gov/documents/2019-2020/billanalysis/House/pdf/2019-HLA-5217-A0121C18.pdf>

² The House Committee on Ways and Means ceased to exist at the end of the 2019-20 legislative session.

FISCAL IMPACT:

House Bill 5183 has no fiscal impact for public universities and community colleges. The potential costs schools could face in preparing a report on their preparedness on complying with the act would be negligible and covered through current staffing and appropriation levels.

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■ This analysis was prepared by nonpartisan House Fiscal Agency staff for use by House members in their deliberations and does not constitute an official statement of legislative intent.