

GAMING, SPORTS, TOURISM, AND ENTERTAINMENT

Resolution GSE-20-25

A RESOLUTION ON FAIR PAY TO PLAY

WHEREAS, due to the National Collegiate Athletic Association (NCAA) restrictions, student athletes are the only category of students prohibited from receiving income related to their athletic talent;

WHEREAS, NCAA rules also force colleges to limit the value of an athletic scholarship;

WHEREAS, for decades, young athletes have been generating billions of dollars for their colleges, universities, and corporate sponsors, but many are not only enduring the daily challenges as student athletes, many are also struggling to afford textbooks, housing and the rising costs of living;

WHEREAS, in its 2016-2017 fiscal year, the NCAA took in approximately \$1.06 billion in revenue;

WHEREAS, Inside Higher Education and Drexel University revealed that over 80 percent of full-scholarship athletes live at or below the federal poverty level;

WHEREAS, student athletes of color suffer a disproportionate impact from these compensation restrictions and often also suffer from the lowest graduation rates;

WHEREAS, black male collegiate athletes made up only 2.4% of undergraduate students enrolled across all 65 institutions that comprise the Atlantic Coast Conference, Big Ten Conference, Big 12 Conference, Pacific 12 Conference, and Southeast Conference, but they comprised over 50% of basketball and football teams;

WHEREAS, 90 percent of black female collegiate athletes compete in basketball and track, making up a large portion of these teams;

WHEREAS, for female athletes and the majority of athletes, college will be the only time they could earn income from their talent and work because less than 1% of women's college basketball players will make it to the Women's National Basketball Association and less than 2% of men's college basketball, football, and soccer will ever play professionally;

WHEREAS, athletes face severe repercussions if they receive compensation from sponsorship deals or use their own image for financial gain;

WHEREAS, for many athletes, college is the only time that their name, image and likeness is profitable;

WHEREAS, athletes have lost eligibility to participate in their sport for violations as minor as accepting groceries, or receiving assistance with rent for their athletic abilities;

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WHEREAS, studies have found that athletes spend 32 to 44 hours a week practicing, traveling and performing, making it nearly impossible to retain a job and pay for their higher education and living costs;

WHEREAS, these restrictive rules paired with the time commitment and financial pressures have a negative impact on an athlete's academic performance; and

WHEREAS, approximately 40% of NCAA Division 1 and Division 2 student athletes report they do not have enough time to keep up with academics during the season.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) believes that college athletes should be given the same opportunity Olympic athletes are allowed, the ability to earn money from their name, image, or likeness;

BE IT FURTHER RESOLVED, that the NBCSL urges amending the definition of a qualified amateur sports organization in the tax code to remove the restriction on student-athletes using or being compensated for use of their name, image and likeness;

BE IT FURTHER RESOLVED, that the NBCSL believes that it is critical that these athletes to not be limited in their access to legal counsel, athletes should be allowed to receive discounted or pro-bono legal services particularly since they are restricted from earning other income;

BE IT FURTHER RESOLVED, that the NBCSL supports and strongly believes that schools and NCAA have a responsibility and duty to inform these students of a right to have counsel present when they are dealing with issues that affect their eligibility or other instances that will affect their ability to play, and there should never be any attempt to ever limit an athletes access to counsel;

BE IT FURTHER RESOLVED, that the NBCSL applauds the actions taken by the State of California and urges other states to follow California's lead to force the NCAA to allow student athletes to control their own image;

BE IT FURTHER RESOLVED, that the NBCSL further urges the NCAA to end this antiquated unfair policy which prevents student athletes control over their own image, a practice which no College or University would impose on other students; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials and agencies as appropriate.

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SPONSOR: Senator Steven Bradford (CA)

**Committee of Jurisdiction: Gaming, Sports, Tourism, and Entertainment Policy
Committee**

**Certified by Committee Co-Chairs: Representative Kamia Brown (FL) and
Representative Andre Baker (CT)**

Ratified in Plenary Session: Ratification Date is December 6, 2019

Ratification is certified by: Representative Gilda Cobb-Hunter (SC), President