



2017-2018 General Assembly

# SENATE BILL 335: Budget Technical Corrections & Study, Sec. 12.1: Study/Fair Treatment of College Athletes

**Committee:**  
**Introduced by:**  
**Analysis of:** Sec. 12.1 of S.L. 2018-97

**Date:** July 23, 2018  
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Staff Attorney

**OVERVIEW:** *Sec. 12.1 of S.L. 2018-97 creates the Legislative Commission on the Fair Treatment of College Student-Athletes (Commission) to examine the needs and concerns of college students participating in athletics on behalf of the constituent institutions of The University of North Carolina and to propose appropriate legislation where needed to implement the objectives of the Commission.*

*The Commission consists of the following:*

- *Six members of the Senate, appointed by the President Pro Tempore of the Senate in proportion to the legislative makeup.*
- *Six members of the House of Representatives, appointed by the Speaker of the House of Representatives in proportion to the legislative makeup.*
- *The Lieutenant Governor, serving as chair of the Commission.*

*Vacancies will be filled by the appointing authority making the initial appointment. The Commission will meet upon the call of the chair, with a quorum of the majority of the Commission members.*

*The Commission will study issues related to the provision of health insurance, sports injuries and non-sports injuries, and profit sharing for student athletes, including the following:*

- *Physical and mental health and safety concerns arising out of participation in athletic competition or resulting from injuries sustained during athletic competition, including, but not limited to, concussions and other life impacting injuries.*
- *Long-term physical and mental health and wellness issues grounded in participation in athletic competition but not manifesting until later in an athlete's life, and the ability of former athletes to receive adequate long-term treatment for these issues.*
- *The need for full-time enrolled college students to have adequate time to devote to educational responsibilities separate and apart from time demands for athletic competition.*
- *Educational opportunities for choosing majors and classes consistent with the nonathletic participating students' opportunities at a constituent institution.*
- *The right to receive academic instruction from qualified faculty members at the constituent institutions and to be taught at an academic level consistent with the standards of accredited higher education institutions.*
- *The right to a fair and impartial hearing and the right to be independently represented before being disciplined for alleged eligibility rules violations by any school, conference, or membership association governing participation in college athletics.*

Karen Cochrane-Brown  
Director



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- *In exchange for his or her participation on behalf of any constituent institution, a fair and adequate financial aid or scholarship assistance package to the extent financial aid or scholarship sources are provided to selected students in exchange for their participation on institutional athletic teams.*
- *Consideration of remuneration or profit sharing for student athletes for the use by institutional or commercial entities of the students' image, or other identifiable source, such as television rights or collegiate apparel that produce commercial profit for the institutions, membership associations, or commercial entities.*
- *The right of students participating in college athletics to be adequately represented by attorneys, agents, or financial advisors throughout their college careers without being subject to losing their eligibility to participate in college athletics.*
- *A review of regulatory rules and punishments imposed on student athletes by any governing membership organization that limits a student's ability to transfer between schools, or participate on college athletic teams by restricting the student's ability to engage in outside work or compensatory services.*
- *The obligation of the university to provide the means for a student athlete to finish their academic requirements to obtain an undergraduate degree after their athletic eligibility or athletic scholarship has expired.*
- *Any other issue the Commission deems relevant based on testimony or evidence presented to the Commission.*

*The Commission must submit a report on the results of its study, including any proposed legislation, by March 1, 2019, to the members of the Senate and the House of Representatives by filing a copy of the report with the Office of the President Pro Tempore of the Senate, the Office of the Speaker of the House of Representatives, and the Legislative Library. The Commission terminates on March 1, 2019, or upon the filing of its report, whichever occurs first.*

*This section became effective July 1, 2018.*