NCAA Suspends Amateurism Policy, Permits Student-Athletes to Receive Compensation for Name, Image, and Likeness



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By Curry Sexton and Greg Whiston

On Wednesday, June 30, the NCAA, less than 24 hours before various state name, image, and likeness ("NIL") laws were to go into effect, adopted an interim policy that temporarily suspended its amateurism rules and opened the door for student-athletes to make money from their NIL. The policy went into effect today. As a result, the NIL laws of several states, which were set to go into effect today, officially do not violate NCAA rules, and schools in states that do not have NIL laws yet on the books can permit and regulate NIL activity.

NCAA President Mark Emmert said, "This is an important day for college athletes since they all are now able to take advantage of name, image and likeness opportunities. With the variety of state laws adopted across the country, we will continue to work with Congress to develop a solution that will provide clarity on a national level. The current environment – both legal and legislative – prevents us from providing a more permanent solution and the level of detail student-athletes deserve."

As of July 1, the NIL landscape is as follows:

- 14 states have passed NIL laws that went into effect on July 1 or can go into effect as early as July 1, at the discretion of schools within the respective state. Those states include: Alabama, Arizona, Connecticut, Florida, Georgia, Illinois, Kentucky, Nebraska, New Mexico, Mississippi, Oklahoma, Ohio, Oregon, and Texas.
- 10 states have passed NIL laws that will go into effect at some point in the future. Those states include: Arkansas, California, Colorado, Maryland, Michigan, Montana, Nevada, New Jersey, Tennessee, and South Carolina.
- 2 states (Louisiana and Missouri) have passed NIL laws that are currently awaiting a signature from their governors.

- The remaining 24 states have either introduced – but not passed – legislation or have not yet introduced any NIL legislation.

So, as it currently stands, every NCAA student-athlete can receive money for their name, image, and likeness. In doing so, the student-athletes are subject to rules and regulations imposed by their respective states, conferences, and/or schools. In the very early stages of the new NIL world, we have already seen a number of schools announce NIL policies and a slew of student-athletes announce endorsement deals.

Stay tuned for more updates in the constantly evolving world of NIL.

This article is general in nature and does not constitute legal advice. The authors of this article, Curry Sexton and Greg Whiston, are members of Seigfreid Bingham's Sports and Entertainment Group and routinely represent clients in collegiate athletics. If you or your organization have questions about the impact of the NCAA's most recent announcement, please contact either author at 816-421-4460.