

Multiple Agency Fiscal Note Summary

Bill Number: 5942 SB	Title: Uniform college athlete act
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Estimated Cash Receipts

Agency Name	2021-23			2023-25			2025-27		
	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total	GF-State	NGF-Outlook	Total
Community and Technical College System	Non-zero but indeterminate cost and/or savings. Please see discussion.								
Total \$	0	0	0	0	0	0	0	0	0

Estimated Operating Expenditures

Agency Name	2021-23				2023-25				2025-27			
	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total	FTEs	GF-State	NGF-Outlook	Total
Office of Attorney General	.0	0	0	0	.0	0	0	0	.0	0	0	0
Student Achievement Council	.1	45,000	45,000	45,000	.1	23,000	23,000	23,000	.0	0	0	0
University of Washington	Fiscal note not available											
Washington State University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Eastern Washington University	Fiscal note not available											
Central Washington University	Fiscal note not available											
The Evergreen State College	Fiscal note not available											
Western Washington University	.0	0	0	0	.0	0	0	0	.0	0	0	0
Community and Technical College System	Non-zero but indeterminate cost and/or savings. Please see discussion.											
Total \$	0.1	45,000	45,000	45,000	0.1	23,000	23,000	23,000	0.0	0	0	0

Estimated Capital Budget Expenditures

Agency Name	2021-23			2023-25			2025-27		
	FTEs	Bonds	Total	FTEs	Bonds	Total	FTEs	Bonds	Total
Office of Attorney General	.0	0	0	.0	0	0	.0	0	0
Student Achievement Council	.0	0	0	.0	0	0	.0	0	0
University of Washington	Fiscal note not available								
Washington State University	.0	0	0	.0	0	0	.0	0	0
Eastern Washington University	Fiscal note not available								
Central Washington University	Fiscal note not available								
The Evergreen State College	Fiscal note not available								
Western Washington University	.0	0	0	.0	0	0	.0	0	0
Community and Technical College System	.0	0	0	.0	0	0	.0	0	0
Total \$	0.0	0	0	0.0	0	0	0.0	0	0

Estimated Capital Budget Breakout

Prepared by: Ramona Nabors, OFM	Phone: (360) 742-8948	Date Published: Preliminary 2/ 4/2022
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Individual State Agency Fiscal Note

Bill Number: 5942 SB	Title: Uniform college athlete act	Agency: 100-Office of Attorney General
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Part I: Estimates

☒ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact . Factors impacting the precision of these estimates , and alternate ranges (if appropriate) , are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia , complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia , complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Ryan Giannini	Phone: 3607867285	Date: 02/02/2022
Agency Preparation: Danielle Hess	Phone: 509-335-2636	Date: 02/03/2022
Agency Approval: Joe Zawislak	Phone: 360-586-3003	Date: 02/03/2022
OFM Review: Tyler Lentz	Phone: (360) 790-0055	Date: 02/03/2022

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency .

No fiscal impact. This legislation is not expected to generate any costs or savings for the Attorney General’s Office (AGO). The AGO completed an analysis for legal services and fiscal impact from the most likely state agencies.

The AGO University of Washington Division (UOW) has reviewed this bill and determined it will not significantly increase or decrease the division’s workload in representing the University of Washington (UW). UOW has already advised UW on these college athletes’ name, image, or likeness (NIL) issues and will continue to do so. This bill essentially codifies what schools have been doing since summer 2021, and if it becomes law should not significantly increase advice or work from our office. New legal services are nominal and costs are not included in this request.

The AGO Washington State University Division has reviewed this bill and determined it will not significantly increase or decrease the division’s workload in representing the Washington State University. New legal services are nominal and costs are not included in this request.

The AGO Education Division (EDU) has reviewed this bill and determined it will not significantly increase or decrease the division’s workload in representing the Evergreen State college, Western WA University, Eastern WA University, and Community Technical Colleges. New legal services are nominal and costs are not included in this request.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates . Distinguish between one time and ongoing functions .

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part I and Part IIIA

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5942 SB	Title: Uniform college athlete act	Agency: 340-Student Achievement Council
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years	0.0	0.2	0.1	0.1	0.0
Account					
General Fund-State 001-1	0	45,000	45,000	23,000	0
Total \$	0	45,000	45,000	23,000	0

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact . Factors impacting the precision of these estimates , and alternate ranges (if appropriate) , are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia , complete entire fiscal note form Parts I-V.
- ☒ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia , complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☒ Requires new rule making, complete Part V.

Legislative Contact: Ryan Giannini	Phone: 3607867285	Date: 02/02/2022
Agency Preparation: Don Bennett	Phone: 360-485-1088	Date: 02/03/2022
Agency Approval: Don Bennett	Phone: 360-485-1088	Date: 02/03/2022
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/04/2022

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency .

This bill prohibits any Washington state public or private institution of higher education (IHE), conference, or athletic association from preventing or restricting a college athlete from entering into an agreement; obtaining an agent; receiving monetary compensation for their name, image, or likeness (NIL); or creating or participating in a group license. The bill also prohibits IHEs, conferences, and athletic associations from interfering with the formation or recognition of a representative to facilitate or provide representation to negotiate a group license.

Section 4: The bill directs Washington Student Achievement Council (WSAC), when requested by at least one IHE, to convene a committee of representatives from institutions within the state that oversee at least one intercollegiate athletics program regulated by an association. The committee is vested with rulemaking authority, which would require WSAC to provide staff support and participate in the rule adoption process on behalf of the committee to adopt rules to administer and implement the bill (the new NIL law).

Section 12: The Attorney General and the Washington Student Achievement Council (WSAC) may assess a civil penalty against an NIL agent or third party not to exceed \$50,000 for violations of the new NIL law.

This fiscal note assumes the NIL committee and WSAC will be advised by the Office of Attorney General (AGO) on complex legal issues presented in regulating NIL activities, adoption of rules to implement the law, and enforcement of the law and rules adopted by the committee, to include the circumstances under which a civil penalty may be assessed and what due process may be required for violations.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates . Distinguish between one time and ongoing functions .

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Expenditures would be required for staff support to the committee of institutional representatives throughout the rulemaking process, to include coordination of meetings and communication with members between committee meetings, as well as coordinating legal advice from the Office of the Attorney General (AGO) and ensuring that rulemaking procedures are followed (filing notices and propose rules, conducting rules hearing, and filing adopted rules).

Assumptions:

- WSAC will be requested to convene a committee of institution representatives in FY 2023.
- WSAC will be responsible for paying AGO bills for legal services provided to the committee.
- Rules adopted by the committee will not assign additional responsibilities to WSAC for enforcement activity, such as receiving and investigating complaints of violations or providing notice and hearings on substantiated violations prior to assessment of civil penalties under Section 12 against NIL agents or third parties for violations of the NIL law.

WSAC will require 0.2 FTE Assistant Director in FY 2023 (\$31,000) and 0.1 FTE Assistant Director in FY 2024 (\$16,000) for salary and benefits, plus goods and services and travel calculated on a per FTE basis. This work would require determining who the institutions designate for the committee, scheduling and organizing up to six meetings in FY 2023 to discuss and propose draft rules, coordinating legal advice to the committee for substantive and procedural issues, filing and adopting rules under the Administrative Procedures Act (Ch. 34.05 RCW). Staff support in FY 2024 assumes completion of

the rulemaking process 18 months after it begins.

Based on consultation with AGO, 100 hours of attorney time will be required during the rulemaking process because it will involve several stakeholders, including student-athletes, institutions, and NIL agents, complex and significant financial interests and legal issues, and determining a regulatory enforcement scheme for violations and assessing penalties. Apportioning 100 hours of attorney time over 18 months will result in 67 hours in FY 2023 at the current rate of \$198.47 per hour, for a cost of \$13,300; and 33 hours in FY 2024 at a cost of \$6,500. Those amounts are added to the WSAC staff-related goods and services amounts in the expenditure summary.

Staff time estimates are rounded to the nearest 0.1 FTE and staff-related and other costs are rounded to the nearest \$1000.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Account	Account Title	Type	FY 2022	FY 2023	2021-23	2023-25	2025-27
001-1	General Fund	State	0	45,000	45,000	23,000	0
Total \$			0	45,000	45,000	23,000	0

III. B - Expenditures by Object Or Purpose

	FY 2022	FY 2023	2021-23	2023-25	2025-27
FTE Staff Years		0.2	0.1	0.1	
A-Salaries and Wages		18,000	18,000	9,000	
B-Employee Benefits		4,000	4,000	2,000	
C-Professional Service Contracts					
E-Goods and Other Services		22,000	22,000	11,000	
G-Travel		1,000	1,000	1,000	
J-Capital Outlays					
M-Inter Agency/Fund Transfers					
N-Grants, Benefits & Client Services					
P-Debt Service					
S-Interagency Reimbursements					
T-Intra-Agency Reimbursements					
9-					
Total \$	0	45,000	45,000	23,000	0

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part I and Part IIIA*

Job Classification	Salary	FY 2022	FY 2023	2021-23	2023-25	2025-27
Assistant Director	87,000		0.2	0.1	0.1	
Total FTEs			0.2	0.1	0.1	0.0

III. D - Expenditures By Program (optional)

Program	FY 2022	FY 2023	2021-23	2023-25	2025-27
Policy Coordination & Administration (010)		45,000	45,000	23,000	
Total \$		45,000	45,000	23,000	

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Identify provisions of the measure that require the agency to adopt new administrative rules or repeal/revise existing rules .

Under Section 4, the committee of institution representatives may adopt rules to administer and implement this legislation.

Individual State Agency Fiscal Note

Bill Number: 5942 SB	Title: Uniform college athlete act	Agency: 365-Washington State University
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Part I: Estimates

☒ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact . Factors impacting the precision of these estimates , and alternate ranges (if appropriate) , are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia , complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia , complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Ryan Giannini	Phone: 3607867285	Date: 02/02/2022
Agency Preparation: Emily Green	Phone: 5093359681	Date: 02/02/2022
Agency Approval: Chris Jones	Phone: 509-335-9682	Date: 02/02/2022
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/04/2022

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency .

SB 5942 – Uniform College Athlete Act relates to the uniform college athlete name, image, or likeness (NIL). This bill amends RCW 42.56.270 and adds a new chapter to Title 63.

WSU currently has resources dedicated to NIL issues and for helping its student athletes navigate those issues. WSU does not believe the requirements of the bill will result in additional costs to its current operations.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates . Distinguish between one time and ongoing functions .

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part I and Part IIIA

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

IV. D - Capital FTE Detail: List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5942 SB	Title: Uniform college athlete act	Agency: 380-Western Washington University
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Part I: Estimates

☒ No Fiscal Impact

Estimated Cash Receipts to:

NONE

Estimated Operating Expenditures from:

NONE

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact . Factors impacting the precision of these estimates , and alternate ranges (if appropriate) , are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia , complete entire fiscal note form Parts I-V.
- ☐ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia , complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Ryan Giannini	Phone: 3607867285	Date: 02/02/2022
Agency Preparation: Kristen Stouder	Phone: (360) 650-2811	Date: 02/03/2022
Agency Approval: Faye Gallant	Phone: 3606504762	Date: 02/03/2022
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/04/2022

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency .

SB 5942 is intended to create legislation specific to Washington state institutions of higher education for the recent NCAA interim rules that now allow college athletes to benefit from name, image, and likeness (NIL) opportunities.

Section 5 discusses limitations for institutions, conferences and athletic associations on NIL activity compensation for athletes. Institutions may not prevent student athletes from receiving NIL compensation, entering into NIL agreements, engaging in NIL activity, or obtaining NIL agent services. Athletic associations are prohibited from restricting an institution or college athlete from participating in athletics because the athlete received NIL compensation. Receipt of NIL compensation for athletes may not affect eligibility or award of scholarships.

Section 6 contains requirements on NIL activity compensation limits for athletes, including stipulations on NIL compensation offers and conduct for athletes.

Section 7 relates to Institutional Involvement.

Section 8 contains requirements on disclosures of NIL activity.

Section 11 allows for civil remedy and specifies that both athletes and institutions have a cause of action for damages as a result of NIL activity that adversely affects the athlete or institution.

Section 16 amends RCW 42.56.270 to exempt from disclosure college athlete disclosures for NIL activity

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates . Distinguish between one time and ongoing functions .

None anticipated.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

WWU assumes no fiscal impact as a result of this bill. This legislation resolves any potential conflict with the NCAA ruling. Any updates to WWU internal policies or other changes can be absorbed within WWU's existing resources.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

NONE

III. B - Expenditures by Object Or Purpose

NONE

III. C - Operating FTE Detail: List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part I and Part IIIA

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required

Individual State Agency Fiscal Note

Bill Number: 5942 SB	Title: Uniform college athlete act	Agency: 699-Community and Technical College System
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Part I: Estimates

☐ No Fiscal Impact

Estimated Cash Receipts to:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Operating Expenditures from:

Non-zero but indeterminate cost and/or savings. Please see discussion.

Estimated Capital Budget Impact:

NONE

The cash receipts and expenditure estimates on this page represent the most likely fiscal impact . Factors impacting the precision of these estimates , and alternate ranges (if appropriate) , are explained in Part II.

Check applicable boxes and follow corresponding instructions:

- ☐ If fiscal impact is greater than \$50,000 per fiscal year in the current biennium or in subsequent biennia , complete entire fiscal note form Parts I-V.
- ☒ If fiscal impact is less than \$50,000 per fiscal year in the current biennium or in subsequent biennia , complete this page only (Part I).
- ☐ Capital budget impact, complete Part IV.
- ☐ Requires new rule making, complete Part V.

Legislative Contact: Ryan Giannini	Phone: 3607867285	Date: 02/02/2022
Agency Preparation: Brian Myhre	Phone: 360-704-4413	Date: 02/02/2022
Agency Approval: Cherie Berthon	Phone: 360-704-1023	Date: 02/02/2022
OFM Review: Ramona Nabors	Phone: (360) 742-8948	Date: 02/04/2022

Part II: Narrative Explanation

II. A - Brief Description Of What The Measure Does That Has Fiscal Impact

Briefly describe by section number, the significant provisions of the bill, and any related workload or policy assumptions, that have revenue or expenditure impact on the responding agency.

This bill would allow college athletes to enter into name, image and likeness agreements and receive compensation.

SECTION 5 – NAME, IMAGE OR LIKENESS ACTIVITY AND COMPENSATION

An institution, conference, or athletic association may not prevent or restrict a college athlete from :

- Receiving name, image, or likeness compensation ;
- Entering into a name, image, or likeness agreement ;
- Engaging in name, image, or likeness activity ;
- Obtaining the services of a name, image, or likeness agent ;
- Creating or participating in a group license ;
- Interfere with the formation or recognition of a collective representative to facilitate or provide representation to negotiate a group license

An athletic association may not prevent or restrict an institution or college athlete from participating in an intercollegiate sport because the athlete receives name, image, or likeness compensation

Receipt of name, image, or likeness compensation may not affect eligibility of a college athlete or the duration, amount, or renewal of an athletic scholarship.

SECTION 6 – LIMITS ON NAME, IMAGE OR LIKENESS ACTIVITY AND COMPENSATION

A college athlete may not include in name, image, or likeness activity an institution, conference, or athletic association name, trademark, service mark, logo, uniform design, or other identifier of athletic performance depicted or included in a media broadcast or related game footage.

A college athlete may not express or imply that an institution, conference, or athletic association endorses or is otherwise affiliated with the athlete's name, image, or likeness activity.

An institution may adopt and enforce rules of conduct relating to name, image, or likeness activity that apply when the college athlete is engaged in an official team activity.

An institution, conference, or athletic association may require a college athlete to waive a name, image, or likeness right associated with promotion, display, broadcast, or rebroadcast related to an intercollegiate sport, or the institution.

SECTION 7 – INSTITUTIONAL INVOLVMENT

An institution may assist a college athlete in evaluating the permissibility of name, image, or likeness activity, including compliance with law and institution rules or policy and the disclosure requirements of the bill.

An institution and its employees, agents, and independent contractors may not provide compensation to a college athlete for the athlete's name, image, or likeness

SECTION 3 – NO EMPLOYMENT RELATIONSHIP CREATED

The bill state that it does not create an employment relationship between a college athlete and the athlete's institution with respect to the athlete's participation in an intercollegiate sport and may not be used as a factor in determining whether an employment relationship exists.

SECTION 8 – REQUIRED DISCLOSURES

A college athlete shall provide or disclose to an institution information regarding name, image, or likeness agreements in an amount more than \$300 or if the aggregate amount of agreements is more than \$2,000 in a calendar year.

If an institution adopts a limitation affecting a college athlete's ability to engage in name, image, or likeness activity, the institution shall provide a copy of the limitation to each athlete the institution expects to participate in an intercollegiate sport at or before the time an offer of admission or financial aid is made or as soon as practicable after adoption. The limitation shall also be posted on its website that is accessible by the public and electronically searchable.

SECTION 4 – RULE MAKING AUTHORITY

When requested by at least one institution, the Washington Student Achievement Council will convene a committee of representatives from institutions within the state that oversee at least one intercollegiate athletics program regulated by an association and may adopt rules under chapter 34.05 RCW to administer and implement the bill.

II. B - Cash receipts Impact

Briefly describe and quantify the cash receipts impact of the legislation on the responding agency, identifying the cash receipts provisions by section number and when appropriate the detail of the revenue sources. Briefly describe the factual basis of the assumptions and the method by which the cash receipts impact is derived. Explain how workload assumptions translate into estimates. Distinguish between one time and ongoing functions.

Indeterminate revenue impact. Provisions in the bill could result in potential revenue losses for community colleges that are members of the Northwest Athletic Association (NWAC).

This bill would allow student athletes to enter into agreements and be compensated for their name, image or likeness. The bill would authorize student athlete conduct that is currently prohibited by NWAC regulations. If implemented, the bill could expose colleges to the risk of being sanctioned and penalized by the NWAC, including being barred from competition. This could result in a loss of athletic revenues from ticket sales and other activities.

II. C - Expenditures

Briefly describe the agency expenditures necessary to implement this legislation (or savings resulting from this legislation), identifying by section number the provisions of the legislation that result in the expenditures (or savings). Briefly describe the factual basis of the assumptions and the method by which the expenditure impact is derived. Explain how workload assumptions translate into cost estimates. Distinguish between one time and ongoing functions.

Indeterminate expenditure impact. Provisions in the bill could result in potential expenditures for community colleges with athletic programs.

The bill would authorize a college to assist a college athlete :

- In evaluating the permissibility of name, image, or likeness activity, including compliance with law and institution rules or policy
- With disclosure requirements of the bill.
- Providing good faith advising and evaluation of name, image, or likeness activity including agent review and contract review
- Connecting or networking with third parties interested in facilitating or engaging with a student athlete or group of student athletes
- Educating a college athlete about name, image, or likeness compensation, agreements, and activity

There would be costs to provide the services listed above. Resources would also be needed for athletics monitoring and the need to review student athlete contracts to determine if they conflict with provisions of the bill or college policies.

In addition, there could be legal costs associated with disputing conflicts between the bill's requirements and NWAC rules.

Part III: Expenditure Detail

III. A - Operating Budget Expenditures

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. B - Expenditures by Object Or Purpose

Non-zero but indeterminate cost and/or savings. Please see discussion.

III. C - Operating FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part I and Part IIIA*

NONE

III. D - Expenditures By Program (optional)

NONE

Part IV: Capital Budget Impact

IV. A - Capital Budget Expenditures

NONE

IV. B - Expenditures by Object Or Purpose

NONE

IV. C - Capital Budget Breakout

Identify acquisition and construction costs not reflected elsewhere on the fiscal note and describe potential financing methods

NONE

IV. D - Capital FTE Detail: *List FTEs by classification and corresponding annual compensation . Totals need to agree with total FTEs in Part IVB*

NONE

Part V: New Rule Making Required