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## Legal Alert: NCAA Changes Name, Image and Likeness Rules Effective Immediately

Since 2011, July 1st has been known in the sports world as “Bobby Bonilla Day”, denoting the day the New York Mets agreed to pay Bobby Bonilla \$1.19M every July 1st until 2035 despite the fact that his last at bat for the Mets was in 1999. This year, however, July 1st will have an even bigger impact on the sports world. As of July 1, 2021, Name, Image and Likeness legislation (“NIL”) is going into effect in numerous states.

In response, The NCAA recently announced that for the first time, athletes will be able to make money from a wide variety of business opportunities without losing their eligibility. As presently structured, businesses will now be able to feature student athletes in advertising, promotional events and products. An additional major change is that an athlete will be allowed to retain representation in dealing with these new business opportunities.

Universities in states without NIL laws will be able to develop their own policies, in line with the NCAA directive that it will be maintaining its “prohibitions on pay-for-play and improper recruiting inducements.” It should also be noted that the NCAA rules are rather broad and may conflict with state laws. New York does not currently have specific name, image and likeness laws pertaining to student athletes.

All this comes on the heels of the U.S. Supreme Court’s unanimous ruling on Monday, June 21, 2021, in *NCAA v. Alston*, that the NCAA cannot ban its member schools from providing compensation and other benefits to student athletes for “education-related expenses.” *NCAA v. Alston* began as a class action antitrust lawsuit filed by current and former Division I Men’s football players and Women’s basketball players against the NCAA and 11 of its Division I conferences. The 9-0 opinion was a historic win for student athletes, whose amateur status in the eyes of the NCAA has prevented them from receiving payments above the cost-of-attendance and certain stipends.

We anticipate numerous legal issues springing from these new rules. Our team at Hancock Estabrook, LLP looks forward to actively guiding our clients through these new opportunities.