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Res. No. 36

Resolution calling upon the New York State Legislature to pass, and the Governor to sign, A. 5115B/S. 5819C, in relation to enacting the New York Collegiate Athletic Participation Compensation Act to allow student-athletes to receive compensation, including for the use of a student's name, image or likeness.

By the Public Advocate (Mr. Williams) and Council Members Hanif and Cabán

Whereas, The National Collegiate Athletic Association (NCAA) is a non-profit organization that regulates over one thousand athletic programs at colleges and universities nationally and supports nearly half a million college athletes; and

Whereas, The NCAA has three divisions, which are intended to group schools by areas of "philosophy, competition and opportunity," and provides multiyear cost-of-attendance athletics scholarships to Division I athletes and partial athletic scholarships to Division II athletes; and

Whereas, While many college athletes are offered scholarships to attend schools, the NCAA currently forbids athletes in most circumstance from profiting from their name, image or likeness or receiving compensation from outside sources; and

Whereas, According to Forbes, Syracuse University men's basketball team, the most valuable college sports program in New York State, averaged annual revenues of $29 million and profits of $15 million based on three-year average revenues from the 2014-15 season through the 2016-17 season; and

Whereas, According to Equity in Athletics Data Analysis, from 2017-18, Syracuse University reported over $90 million in total revenue across all sports teams; and

Whereas, In the same time period, New York City Division I schools St. John's University and Fordham University, each reported over $33 million in total revenue across all sports teams; and

Whereas, Consistent with the NCAA's findings for nearly three decades, Black college athletes make up more than half of Division I men's basketball players; and

Whereas, In 2018, Black college athletes made up nearly half of Division I men's football players and nearly half of Division I women's basketball players; and

Whereas, A 2017 study published in Political Research Quarterly found that harboring negative racial views about Black people was the single strongest predictor of white people's opposition to compensating college athletes; and

Whereas, Further, negative racial views about Black people was more significant than every other predictor such as age, education level, political affiliation, sports fandom or if respondents had played college sports themselves; and

Whereas, In September 2019, California Governor Gavin Newsom signed the Fair Pay to Play Act, which enables all college athletes to earn money from sponsorships, endorsements and other activities that use their name, image and likeness in addition to other protections; and

Whereas, On February 11, 2021, New York State Assembly Member Michaelle Solages introduced A. 5115, and on March 22, 2021, New York State Senator Kevin Parker introduced S. 5819, known as the New York Collegiate Athletic Participation Compensation Act, which would allow college athletes to receive compensation, including for the use of a student's name, image or likeness, allow college athletes to seek professional representation and establish the community college athlete name, image and likeness working group; and

Whereas, College athletes are core members of their school's marketing team and provide their time, talents and labor to produce revenue for colleges and universities that otherwise would not exist; now, therefore, be it

Resolved, That the Council of the City of New York calls upon the New York State Legislature to pass, and the Governor to sign A. 5115B/S. 5819C, in relation to enacting the New York Collegiate Athletic

Participation Compensation Act to allow student-athletes to receive compensation, including for the use of a student's name, image or likeness.

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