

# Name, Image & Likeness (NIL) Requirements Chart

Updated as of September 21, 2021. Please see our related Advisory: [The Latest on NIL: Updates to State and Federal Laws](#)

ENACTED STATE LAWS					
STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
<a href="#">Alabama</a>	“This act shall become effective on <b>July 1, 2021</b> ” Ala. Code §8-26B-32	<p>“Section 2. (f) Except with the prior written consent of the postsecondary education institution, a student athlete <b>may not enter into a contract</b> for compensation for the use of the student athlete's name, image, or likeness if the institution determines that a term of the contract <b>conflicts with a term of a contract held by the student athlete's postsecondary education institution.</b>” Ala. Code §8-26B-32(2)(f)</p> <p>“(g) Before any contract for compensation for the use of a student athlete's name, image, or likeness is executed, and before any compensation is provided to the student athlete in advance of a contract, the student athlete <b>shall disclose that contract to his or her postsecondary educational institution</b> in a manner prescribed by the institution.” Ala. Code §8-26B-32(2)(g)</p> <p>“Section 3. (c) A student athlete participating in intercollegiate sports at a postsecondary educational institution <b>shall provide the institution with written notice at least seven days prior</b> to entering into a representation agreement with any individual for purposes of exploring or securing compensation for use of the student athlete's name, image, or likeness.” Ala. Code §8-26B-32(3)(c)</p> <p>“Section 7. A student athlete <b>may not receive or enter into a contract</b> for compensation for use of his or her name, image, or likeness in a way that also <b>uses any registered or licensed marks, logos, verbiage, or designs of a postsecondary education institution, unless the institution has provided the student athlete with written permission to do so prior to the execution of the contract.</b> If permission is granted, the postsecondary education institution, by agreement of all parties, may be compensated for the use in a manner consistent with market rates or prior practice.” Ala. Code §8-26B-32(7)</p>	“Section 3. (b) An individual representing a student athlete for purposes of exploring or securing compensation for the student athlete's name, image, or likeness <b>shall be registered as an athlete agent with the state pursuant to Section 8-26B-4, Code of Alabama 1975, or shall be a licensed attorney and a member in good standing of the Alabama State Bar.</b> ” Ala. Code § 8-26B-32(3)(b)	“Section 4. A <b>scholarship</b> awarded to a student athlete by a postsecondary educational institution <b>may not be revoked or reduced</b> as a result of the receipt of compensation by a student athlete for use of their name, image, or likeness, or as a result of the student athlete obtaining professional representation pursuant to this act and any rule adopted by the Alabama Collegiate Athletics Commission under Section 6.” Ala. Code § 8-26B-32(4)	<p>Yes. The law requires institutions to conduct financial literacy and life skills programming for student athletes.</p> <p>“Section 5. (a) Each postsecondary educational institution <b>shall conduct financial literacy and life skills programming</b> for student athletes. At a minimum, the programming must include information concerning financial aid and debt management, as well as recommended model budgets for student athletes based on that academic year's estimated cost of attendance and the various scholarship statuses of student athletes at the institution. The programming shall also include information on time management skills necessary for success as a student athlete and available academic resources.</p> <p>(b) The programming may not include any marketing, advertising, referral, or solicitation by providers of financial products or services.</p> <p>(c) This section does not place any obligation on a postsecondary educational institution to provide tax guidance or financial safeguards to student athletes outside of the programming required under this section.” Ala. Code § 8-26B-32(5)</p> <p>“Section 10. Nothing in this act or rule of the commission shall affect the <b>employment status</b> of a student athlete with a postsecondary education institution. A student athlete <b>shall not be considered an employee</b> of a postsecondary education institution based on participation in an intercollegiate sport.” Ala. Code § 8-26B-32(10)</p>
<a href="#">Arizona</a>	Signed into law by Governor Ducey on Friday, March 26, 2021. Under the Arizona Constitution, the newly signed law will take effect 90 days after the Arizona State Legislature adjourns – giving the newly signed law an effective date of <b>Friday, July 23, 2021.</b>	<p>“D. This section <b>does not authorize student athletes to enter into a contract</b> providing compensation for the use of the student athlete's name, image or likeness if doing so either:</p> <ol style="list-style-type: none"> <li>1. Violates the intellectual property rights of any person, including the student athlete's postsecondary education institution.</li> <li>2. <b>Conflicts with the student athlete's team contract.</b>” A.R.S. 15-1892(D)</li> </ol>	“C. <b>An athlete agent</b> who advises or represents a student athlete in connection with earning compensation from the use of that student athlete's own name, image or likeness <b>shall comply with chapter 13, article 10 [Uniform Athlete Agents Act] of this title.</b> ” A.R.S. 15-1892(C)	“B. A student athlete <b>may not be denied a scholarship, have a scholarship revoked, be deemed ineligible for a scholarship or be deemed ineligible for participating in intercollegiate athletics</b> based on earning compensation for the use of that student athlete's name, image or likeness in a manner and to the extent allowed by the rules established by the relevant national association for promoting or regulating collegiate athletics.” A.R.S. 15-1892(B)	None.

“Summary only. Not to be used as a complete statement of the text of the rules or laws or how they apply to each school.”

## ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
<a href="#">Arkansas</a>	<b>Arkansas Student-Athlete Publicity Rights Act.</b> “This act is effective on and after January 1, 2022.” Section 2.	<p>“4-75-1304. <b>Conflicts.</b> (a) A third-party licensee or student-athlete <b>shall not enter into a contract</b> for the commercial use of the student-athlete’s publicity rights if the contract:</p> <p>(1) Requires the student-athlete to endorse, use, solicit, sell, market, advertise, promote, refer to, mention, display, or otherwise promote the name, image, logo, product, service, purpose, campaign, business, digital or physical address, or location of any third-party licensee or commercial entity <b>during a varsity intercollegiate athletic practice, competition, or other activity;</b></p> <p>(2) Conflicts with a term or condition of a <b>contract, policy, rule, regulation, or standard of the student-athlete’s enrolled institution of higher education;</b> or</p> <p>(3) Involves the student-athlete’s performance or lack of performance in athletic competition.” ARK. CODE ANN. § 4-75-1304</p> <p>“Notwithstanding any other provision of this subchapter, a student athlete participating in varsity intercollegiate athletics is <b>prohibited from earning compensation</b> as a result of the commercial use of the student athlete’s publicity rights in connection with any person or entity related to or associated with the development, promotion, production, distribution, wholesaling, or retailing of: (9) <b>Any product, substance, or method that is prohibited in competition by an athletic association, athletic conference, or other organization governing varsity intercollegiate athletic competition.</b>” ARK. CODE ANN 4-75-1307(b)(9)</p> <p>“4-75-1306. <b>Disclosure.</b> (a)(1) A student-athlete who enters into a contract related to the commercial use of the student-athlete’s publicity rights <b>shall disclose to a designated official of the student-athlete’s institution of higher education the existence of the contract, including the contract terms, conditions, parties, and compensation amounts.</b></p> <p>(2) The disclosure described in subdivision (a)(1) of this section <b>shall be made within a time period and in a manner designated by the institution of higher education.</b></p> <p>(b)(1) A <b>professional representative</b> of a student-athlete for a contractual or legal matter regarding the student-athlete’s opportunity to earn compensation for the commercial use of the student-athlete’s publicity rights <b>shall disclose to a designated official of the student-athlete’s institution of higher education the relationship between the professional representative and the student-athlete and the existence of the contract, including</b></p>	<p>“4-75-1305. Representation. (a) An <b>agent, athlete agent, financial advisor, or attorney</b> who is providing professional representation of a student-athlete <b>shall be licensed, as applicable, in this state.</b>” ARK. CODE ANN. § 4-75-1305(a)</p>	<p>“Earning compensation for the commercial use of a student-athlete’s publicity rights <b>shall not affect the student-athlete’s scholarship eligibility.</b>” ARK. CODE ANN. § 4-75-1303(c)</p>	<p>“This subchapter does not: (6) Render student-athletes <b>employees</b> of the institution of higher education based on participation in varsity intercollegiate athletic competition.” ARK. CODE ANN. § 4-75-1307(a)(6)</p>
<a href="#">Arkansas continued</a>					

## ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
		<p><b>without limitation the contract terms, conditions, parties, and compensation amounts.</b></p> <p>(2) The disclosure described in subdivision (b)(1) of this section <b>shall be made within a time period and in a manner designated by the institution of higher education.</b>" ARK. CODE ANN. § 4-75-1306</p> <p>"This subchapter does not: (3) Authorize a student-athlete to use the name, nicknames, trademarks, service marks, landmarks, facilities, trade dress, uniforms, songs, mascots, logos, images, symbols, or other intellectual property, whether registered or not, of an institution of higher education, athletic association, conference, or other organization with authority over varsity intercollegiate athletics" ARK. CODE ANN. § 4-75-1307(a)(3)</p>			
<a href="#">California</a>	"This section shall become operative on <b>January 1, 2023.</b> " Cal. Ed. Code § 67456(h)	"(e) (1) A student athlete <b>shall not</b> enter into a contract providing compensation to the athlete for use of the athlete's name, image, or likeness <b>if a provision of the contract is in conflict with a provision of the athlete's team contract.</b> (2) A student athlete who enters into a contract providing compensation to the athlete for use of the athlete's name, image, or likeness <b>shall disclose the contract to an official of the institution,</b> to be designated by the institution." Cal. Ed. Code § 67456 (e)(1)	"Professional representation obtained by student athletes shall be from <b>persons licensed by the state.</b> Professional representation provided by athlete agents shall be by persons licensed pursuant to Chapter 2.5 (commencing with Section 18895) of Division 8 of the Business and Professions Code. Legal representation of student athletes shall be by attorneys licensed pursuant to Article 1 (commencing with Section 6000) of Chapter 4 of Division 3 of the Business and Professions Code." Cal. Ed. Code § 67456 (c)(2) "Athlete agents representing student athletes shall <b>comply with the federal Sports Agent Responsibility and Trust Act,</b> established in Chapter 104 (commencing with Section 7801) of Title 15 of the United States Code, in their relationships with student athletes." Cal. Ed. Code § 67456 (c)(3)	"A postsecondary educational institution shall not uphold any rule, requirement, standard, or other limitation that prevents a student of that institution participating in intercollegiate athletics from earning compensation as a result of the use of the student's name, image, or likeness. Earning compensation from the use of a student's name, image, or likeness <b>shall not affect the student's scholarship eligibility.</b> " Cal. Ed. Code § 67456 (a)(1)	None.
<a href="#">Colorado</a>	Effective <b>July 1, 2021</b> (was January 1, 2023). 2021 Colo. Legis. Serv. Ch. 21-1328	"A student athlete <b>shall not</b> enter into a contract providing compensation to the student athlete if the contract <b>conflicts with a team contract of the team for which the student athlete competes.</b> " C.R.S. 23-16-301 § 3(a) "A student athlete who enters into a contract providing compensation to the student athlete in exchange for the use of the student athlete's name, image, or likeness <b>shall disclose the contract to the athletic director of the student athlete's institution within seventy-two HOURS</b> after the student athlete enters into the contract or before the next scheduled athletic event in which the student athlete may participate, whichever occurs first." C.R.S. 23-16-301 § 3(b)	"Each institution that participates in intercollegiate athletics <b>may sponsor on-campus athlete agent interviews at which an athlete agent may interview student athletes to discuss the athlete agent's representation of the student athletes in the marketing of the student athletes' athletic ability or reputation.</b> The governing board of the institution or the institution may adopt rules with regard to the scheduling of interview periods, the duration of each interview period, and locations on campus where interviews may be conducted." C.R.S. 23-16-106	"(5) For the purposes of this section, an institution <b>shall not revoke a student athlete's scholarship</b> because the student athlete receives compensation or obtains professional or legal representation as described in this section." C.R.S. 23-16-301 § 5	None.

ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
<p><a href="#">Connecticut</a></p>	<p>Effective <b>September 1, 2021</b>. Section 14(b)</p>	<p>“Each institution of higher education shall adopt one or more policies regarding student athlete endorsement contracts and employment activities. Such policy or policies shall include provisions for: (1) Requiring a <b>student athlete to disclose and submit</b> a copy to his or her institution of higher education of each endorsement contract, written agreement for employment and representation agreement executed by the student athlete; (2) <b>prohibiting a student athlete</b> from entering into an <b>agreement that conflicts</b> with the provisions of any agreement to which the institution of higher education is a party, provided such <b>institution shall disclose</b> to the student athlete or the student athlete's attorney or sports agent the provisions of the agreement that are in conflict; (3) <b>prohibiting</b> a student athlete from using or consenting to the <b>use of any institutional marks</b> during such student athlete's performance of the endorsement contract or employment activity; (4) prohibiting a student athlete's performance of the endorsement contract or employment activity from interfering with any official team activities or academic obligations; and (5) identifying any prohibited endorsements.” Section 14(c)</p> <p>“Notwithstanding section 1-210 of the general statutes with respect to public institutions of higher education, <b>no institution of higher education shall disclose any record of the compensation received by a student athlete</b> from an endorsement contract or employment activity entered into or engaged in pursuant to subsection (b) of this section <b>unless the institution receives the written consent of the student athlete</b> for each disclosure.” Section 14(f)(2)</p>	<p>“[...] any student athlete who is enrolled at such institution of higher education may earn compensation through an endorsement contract or employment in an activity that is unrelated to any intercollegiate athletic program and <b>obtain the legal or professional representation of an attorney or sports agent through a written agreement, provided such student athlete complies with the policy or policies adopted by his or her institution of higher education regarding student athlete endorsement contracts and employment activities.</b>” Section 14(b)</p>	<p>“No athletic association or conference, including, but not limited to, the NCAA, on the basis of a student athlete's endorsement contract, employment activity or representation by an attorney or sports agent pursuant to subsection (b) of this section, shall (1) prohibit or prevent an institution of higher education or its intercollegiate athletic program from participating in intercollegiate sports, (2) restrict or revoke a student athlete's <b>eligibility to participate in an intercollegiate athletic program</b>” Section 14(e)</p> <p>“No institution of higher education, on the basis of a student athlete's endorsement contract, employment activity or representation by an attorney or sports agent pursuant to subsection (b) of this section, shall (A) prohibit or prevent such student athlete from earning compensation from such endorsement contract or employment activity, (B) prohibit or prevent such student athlete from representation by a duly licensed attorney or sports agent, or (C) restrict or revoke such <b>student athlete's eligibility for a scholarship or to participate in the intercollegiate athletic program at such institution.</b>” Section 14(f)(1)</p> <p>“<b>No provision</b> of subsections (d) and (f) of this section <b>shall be construed to prevent an institution of higher education</b> or an <b>athletic association or conference</b>, including, but not limited to, the NCAA, from <b>prohibiting a student athlete's participation in an intercollegiate athletic program, revoking a student athlete's eligibility</b> for a <b>scholarship</b> or taking any other <b>punitive or legal action if such student athlete's endorsement contract, employment activity or representation</b> by an attorney or sport agent <b>does not comply</b> with the provisions of subsection (b) of this section.” Section 14(g)</p>	<p>“No provision of this section shall be construed to [...] (4) qualify a student athlete as an <b>employee</b> of an institution of higher education; (5) require an institution of higher education to take any action in violation of the <b>Discrimination Based on Sex and Blindness Act, 20 USC 1681, et seq.</b>, as amended from time to time; (6) prohibit a student athlete from engaging in an <b>employment activity that entails coaching or performing a sport, provided such activity is not related to any intercollegiate athletic program.</b>” Section 14(d)</p>
<p><a href="#">Florida</a></p>	<p>"This act shall take effect <b>July 1, 2021</b>." FLA. STAT. § 1006.74(3)</p>	<p>"An intercollegiate athlete <b>may not</b> enter into a contract for compensation for the use of her or his name, image, or likeness if a term of the <b>contract conflicts with a term of the intercollegiate athlete's team contract</b>. A postsecondary educational institution asserting a conflict under this paragraph must disclose each relevant contract term that conflicts with the team contract to the intercollegiate athlete or her or his representative." FLA. STAT. § 1006.74(h)</p> <p>"An intercollegiate athlete who enters into a contract for compensation for the use of her or his name, image, or likeness <b>shall disclose the contract to the postsecondary educational</b></p>	<p>"Notwithstanding subsection (3), a person must hold a valid license as an athlete agent to act as an athlete agent representing an intercollegiate athlete for purposes of contracts authorized under s. 1006.74." FLA. STAT. § 468.453(8)</p> <p>"Notwithstanding athletic conference or collegiate athletic association rules, bylaws, regulations, and policies to the contrary, an athlete agent may represent an intercollegiate athlete in securing compensation for the use of her or his name, image,</p>	<p>"Earning such compensation may not affect the intercollegiate athlete's grant-in-aid or athletic eligibility." FLA. STAT. § 1006.74(2)(b)</p>	<p>Institutions are required to conduct a financial literacy and life skills workshop for at least 5 hours at the beginning of the intercollegiate athlete's first and third academic years. FLA. STAT. § 1006.74(h)</p>

“Summary only. Not to be used as a complete statement of the text of the rules or laws or how they apply to each school.”



## ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
<a href="#">Georgia</a>	Effective <b>July 1, 2021</b> . Ga. Code Ann. § 20-3-682(a)	<p><b>institution at which she or he is enrolled, in a manner designated by the institution.</b>" FLA. STAT. § 1006.74(i)</p> <p>"A student athlete <b>shall not enter into a contract</b> providing compensation to the student athlete for use of the student athlete's name, image, or likeness <b>if a provision of such contract is in conflict with the student athlete's team contract</b>" Ga. Code Ann. § 20-3-681(d)(1)</p> <p>"A student athlete who enters into a contract providing compensation to the student athlete for use of the student athlete's name, image, or likeness <b>shall disclose such contract to an official of the student athlete's postsecondary educational institution, to be designated by such institution.</b>" Ga. Code Ann. § 20-3-681(d)(2)</p> <p>"A <b>postsecondary educational institution asserting a conflict</b> under paragraph (1) of this subsection <b>shall disclose to the student athlete or the student athlete's representative</b> the relevant provisions of the contract that are asserted to be in conflict." Ga. Code Ann. § 20-3-681(d)(3)</p>	<p>or likeness under s. 1006.74." FLA. STAT. § 468.453(9)</p> <p>"A postsecondary educational institution or intercollegiate athletic association shall not prevent a student athlete from obtaining <b>professional representation</b> in relation to contracts or legal matters, including but not limited to representation provided by <b>athlete agents</b>, who shall be certified as provided for under Chapter 4A of Title 43, <b>or legal representation provided by attorneys, who shall be licensed to practice law in the state.</b> Athlete agents representing student athletes shall comply with the federal Sports Agent Responsibility and Trust Act, established in 15 U.S.C. Section 7801, et seq., in their relationships with student athletes." Ga. Code Ann. §§ 20-3-682(a-b).</p>	<p>"A student athlete's <b>scholarship shall not be revoked, nor shall scholarship eligibility be adversely impacted</b>, as a result of a student athlete earning compensation or obtaining representation as provided for in this article." Ga. Code Ann. § 20-3-681(c)</p>	<p>Yes. The bill requires institutions to conduct at least 5 hours of <b>financial literacy and life skills programming</b> for student athletes at the beginning of the 1<sup>st</sup> and 3<sup>rd</sup> academic years. Ga. Code Ann. § 20-3-681(e)</p> <p>The bill permits institutions to make a <b>pooling arrangement</b> in which <b>students contribute up to 75% of their NIL compensation</b> "to a fund for the benefit of individuals previously enrolled as student athletes in the same postsecondary educational institution as such student athlete." Ga. Code Ann. § 20-3-681(B)(i). The pooling arrangement provisions cannot "<b>discriminate</b> against or treat differently individuals based upon race, gender, or other personal status protected by federal or state law." Ga. Code Ann. § 20-3-681(B)(v).</p>
<a href="#">Illinois</a>	Effective <b>July 1, 2021</b> . 2021 Ill. Legis. Serv. P.A. 102-42 § 99	<p>"To protect the integrity of its educational mission and intercollegiate athletics program, a <b>postsecondary educational institution may impose reasonable limitations on the dates and time</b> that a student-athlete may participate in endorsement, promotional, social media, or other activities related to the license or use of the student-athlete's name, image, likeness, or voice. Nothing in this Act shall restrict a postsecondary educational institution from exercising its sole discretion to <b>control the authorized use of its marks or logos or to determine a student-athlete's apparel, gear, or other wearables during an intercollegiate athletics competition or institution-sponsored event. A student-athlete may not receive or enter into a contract for compensation for the use of the student-athlete's name, image, likeness, or voice in a way that also uses any registered or licensed marks, logos, verbiage, name, or designs of a postsecondary educational institution, unless the postsecondary educational institution has provided the student-athlete with written permission to do so prior to execution of the contract or receipt of compensation.</b> If permission is granted to the student-athlete, the postsecondary educational institution, by an agreement of all of the parties, may be compensated for the use in a manner consistent with market rates. <b>A postsecondary educational institution may also prohibit a student-athlete from wearing any item of clothing, shoes, or other gear or wearables with the name, logo, or insignia of any entity during an intercollegiate athletics competition or institution-sponsored event.</b>" 2021 Ill. Legis. Serv. P.A. 102-42 § 15(c)</p>	<p>"Except as provided in this Act, a <b>postsecondary educational institution shall not uphold any contract, rule, regulation, standard, or other requirement that prevents a student-athlete of that institution from earning compensation</b> as a result of the use of the student-athlete's name, image, likeness, or voice." 2021 Ill. Legis. Serv. P.A. 102-42 § 15(a)</p> <p>"A postsecondary educational institution, athletic association, conference, or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association, the National Association of Intercollegiate Athletics, and the National Junior College Athletic Association, <b>shall not prevent a student-athlete from obtaining professional representation</b> for purposes of this Act in relation to name, image, likeness, or voice, <b>or to secure a publicity rights agreement</b>, including, but not limited to, <b>representation provided by athlete agents or legal representation provided by attorneys.</b>" 2021 Ill. Legis. Serv. P.A. 102-42 § 15(f)</p> <p>"A <b>postsecondary educational institution may fund an independent, third-party administrator</b> to support education, monitoring, disclosures, and reporting concerning name, image, likeness, or</p>	<p>"<b>Compensation</b> from the use of a student-athlete's name, image, likeness, or voice may <b>not affect the student-athlete's scholarship eligibility, grant-in-aid, or other financial aid, awards or benefits, or the student-athlete's intercollegiate athletic eligibility.</b>" 2021 Ill. Legis. Serv. P.A. 102-42 § 15(a)</p> <p>"<b>A grant-in-aid, including cost of attendance, and other permissible financial aid, awards, or benefits from the postsecondary educational institution in which a student-athlete is enrolled shall not be revoked, reduced, nor the terms and conditions altered, as a result of a student-athlete earning compensation or obtaining professional or legal representation</b> pursuant to this Act." 2021 Ill. Legis. Serv. P.A. 102-42 § 15(b)</p>	<p>"Notwithstanding any other provision of law or agreement to the contrary, a <b>student-athlete shall not be deemed an employee, agent, or independent contractor of an association, a conference, or a postsecondary educational institution</b> based on the student-athlete's participation in an intercollegiate athletics program." 2021 Ill. Legis. Serv. P.A. 102-42 § 10(3)</p> <p>No educational requirements.</p>

ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
		<p>“A student-athlete shall provide the postsecondary educational institution with written notice and a copy of the agreement within 7 days of entering into a representation agreement with any individual for the purpose of exploring or securing compensation for use of the student-athlete's name, image, likeness, or voice.” 2021 Ill. Legis. Serv. P.A. 102-42 § 15(f)</p> <p>“A student-athlete shall disclose to the postsecondary educational institution in which the student is enrolled, in a manner and time prescribed by the institution, the existence and substance of all publicity rights agreements. Publicity rights agreements that contemplate cash or other compensation to the student-athlete that is equal to or in excess of a value of \$500 shall be formalized in a written contract, and the contract shall be provided to the postsecondary educational institution in which the student is enrolled prior to the execution of the agreement and before any compensation is provided to the student-athlete.” 2021 Ill. Legis. Serv. P.A. 102-42 § 20(c)</p> <p>“A student-athlete may not enter into a publicity rights agreement or otherwise receive compensation for that student-athlete's name, image, likeness, or voice for services rendered or performed while that student-athlete is participating in activities sanctioned by that student-athlete's postsecondary educational institution if such services or performance by the student-athlete would conflict with a provision in a contract, rule, regulation, standard, or other requirement of the postsecondary educational institution.” 2021 Ill. Legis. Serv. P.A. 102-42 § 20(d)</p>	<p>voice activities by student-athletes authorized pursuant to this Act. A third-party administrator cannot be a registered athlete agent.” 2021 Ill. Legis. Serv. P.A. 102-42 § 20(f)</p>		
<p><a href="#">Idaho</a></p>	<p>Effective on July 1, 2020, according to the Legislature's website.</p>	<p>“Not later than seventy-two (72) hours after entering into an agency contract or before the next scheduled athletic event in which the student athlete may participate, whichever occurs first, the athlete agent shall give notice in a record of the existence of the contract to the athletic director of the educational institution at which the athlete is enrolled or at which the agent has reasonable grounds to believe the athlete intends to enroll.” Idaho Code § 54-4811(2) “Not later than seventy-two (72) hours after entering into an agency contract or before the next scheduled athletic event in which the student athlete may participate, whichever occurs first, the athlete shall inform the athletic director of the educational institution at which the athlete is enrolled that the athlete has entered into an agency contract and the name and contact information of the athlete agent.” Idaho Code § 54-4811(3)</p>	<p>“An athlete agent, with the intent to influence a student athlete or, if the athlete is a minor, a parent or guardian of the athlete to enter into an agency contract, may not take any of the following actions or encourage any other individual to take or assist any other individual in taking any of the following actions on behalf of the agent: (a) Give materially false or misleading information or make a materially false promise or representation; (b) Furnish anything of value to the athlete before the athlete enters into the contract; or (c) Furnish anything of value to an individual other than the athlete or another registered athlete agent.” Idaho Code § 54-4814(1) “An athlete agent may not intentionally do any of the following or encourage any other individual to do any of the following on behalf of the agent: (a) Fail to create or retain or to permit inspection of the records required by section 54-4813, Idaho Code; (c) Fail to register when required by section 54-4804, Idaho Code; (d) Provide materially false or misleading information in an</p>	<p>“Subject to subsection (7) of this section, an agency contract must contain a conspicuous notice in boldface type and in substantially the following form:</p> <p>Warning to Student Athlete</p> <p>IF YOU SIGN THIS CONTRACT:</p> <p>(1) You may lose your eligibility to compete as a student athlete in your sport; (2) If you have an athletic director, within 72 hours after signing this contract or before the next scheduled athletic event in which you participate, whichever occurs first, both you and your athlete agent must notify your athletic director that you have entered into this contract and provide the name and contact information of the athlete agent; and (3) You may cancel this contract within 14 days after signing it. cancellation of this contract may not reinstate your eligibility as a</p>	<p>None.</p>

## ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
			application for registration or renewal of registration; (b) Predate or postdate an agency contract; or (c) Fail to notify a student athlete or, if the athlete is a minor, a parent or guardian of the athlete, before the athlete, parent or guardian signs an agency contract for a particular sport that the signing may make the athlete ineligible to participate as a student athlete in that sport." Idaho Code § 54-4810(3)	student athlete in your sport." Idaho Code § 54-4810(3)	
<a href="#">Kentucky</a>	Governor Andy Beshear signed executive order June 24, 2021. Effective <b>July 1, 2021</b> .	<p><b>"The postsecondary educational institutions</b> located in the Commonwealth of Kentucky <b>shall not prevent a student-athlete from earning compensation</b> for the use of the name, image and likeness of the student-athlete while enrolled at a postsecondary institution <b>or from obtaining a certified agent</b> for any matter or activity relating to such compensation, except as outlined below: [...] B. Compensation in exchange for a contract of endorsement, promotion or other activity that <b>the postsecondary educational institution determines is in conflict with an existing contract of endorsement, promotional or other activity</b> entered by the postsecondary educational institution" KY EO No. 2021-418(I)(B)</p> <p>"The <b>postsecondary educational institution may require the disclosure of any contract or agreement</b> between a student-athlete and third party <b>to a designated official</b> of the institution that pertains to compensation for the commercial use of the student-athlete's name, image and likeness." KY EO No. 2021-418(I)(E)</p>	<p>"The postsecondary educational institutions located in the Commonwealth of Kentucky <b>shall not prevent a student-athlete</b> from earning compensation for the use of the name, image and likeness of the student-athlete while enrolled at a postsecondary institution <b>or from obtaining a certified agent for any matter or activity relating to such compensation</b>, except as outlined" KY EO No. 2021-418(I)</p> <p>"The <b>postsecondary educational institution may create reasonable limitations on or promulgate reasonable rules pertaining to the dates and times that a student-athlete may participate in endorsement, promotional, social media, or other activities related to a name, image and likeness</b> agreement or contract or upon potential agreements or contracts for compensation of name, image and likeness that the postsecondary educational institution determines is incompatible or detrimental to the image, purpose or stated mission of the postsecondary educational institution, such as, but not limited to, the promotion or advertisement of alcohol, tobacco products, firearms or sexually-oriented activities, or that uses or relies upon the intellectual property and trademarks possessed by the postsecondary educational institution" KY EO No. 2021-418(I)(D)</p>		<p>"Implementation of rules, policies or directives by the postsecondary institution for permitting or reasonably limiting student-athletes' ability to earn compensation for the use of their name, image, or likeness shall be consistent with <b>Title IX</b> of the Education Amendments of 1972 and <b>refrain from discrimination or treating individuals differently based upon race, sex, religion or other personal status protected under state or federal law.</b>" KY EO No. 2021-418(II)</p> <p>"<b>Postsecondary educational institutions should provide financial literacy, social media and brand management, and time management education and resources for student-athletes that earn compensation</b> for the use of their name, image and likeness, as well as other students seeking such education or resources. The education and resources provided should not include marketing, referrals or solicitations by any entity or association outside of the postsecondary institution." KY EO No. 2021-418(III)</p>
<a href="#">Louisiana</a>	Effective <b>July 1, 2021</b> . Section 2.	<p>"A <b>postsecondary education institution may prohibit</b> an intercollegiate athlete from using the athlete's name, image, or likeness for <b>compensation</b> if the proposed use of the athlete's name, image, or likeness <b>conflicts</b> with either of the following: (a) Existing institutional <b>sponsorship agreements or contracts</b>. (b) <b>Institutional values</b> as defined by the postsecondary education institution." LA R.S. 17:3703(E)(1)</p> <p>"An intercollegiate athlete shall not use a <b>postsecondary education institution's facilities, uniforms, registered trademarks, products protected by copyright, or official logos, marks, colors,</b></p>	<p>"A <b>postsecondary education institution</b> shall not adopt or maintain a contract, rule, regulation, standard, or other requirement that <b>prevents or unduly restricts an intercollegiate athlete from earning compensation</b> for the use of the athlete's name, image, or likeness." LA R.S. 17:3703(B)</p> <p>"A <b>postsecondary education institution shall not prevent or unduly restrict an intercollegiate athlete from obtaining professional representation by an athlete agent or an attorney</b> engaged for the</p>	<p>"Earning compensation shall not affect the intercollegiate athlete's <b>grant-in-aid or athletic eligibility.</b>" LA R.S. 17:3703(B)</p> <p>"A <b>grant-in-aid, including cost of attendance</b>, awarded to an intercollegiate athlete by a postsecondary education institution is not compensation for the purposes of this Chapter and <b>shall not be revoked or reduced as a result of an intercollegiate athlete earning compensation or</b></p>	Yes. Institutions must conduct financial literacy and life skills workshops at the beginning of athlete's first and third academic years.

ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
		<p>or other indicia in connection with the use of the athlete's name, image, or likeness <b>without the express permission of the postsecondary education institution.</b>" LA R.S. 17:3703(E)(3)</p> <p>"An intercollegiate athlete shall not enter into a contract for compensation for the use of the athlete's name, image, or likeness if a term of the contract conflicts with a term of the intercollegiate athlete's athletic program's team contract." LA R.S. 17:3703(J)(1)</p> <p>"A postsecondary education institution asserting a conflict under this Subsection shall disclose each relevant contract term that conflicts with the team contract to the intercollegiate athlete or the athlete's representative." LA R.S. 17:3703(J)(2)</p> <p>"An intercollegiate athlete who enters into a contract for compensation for the use of the athlete's name, image, or likeness shall disclose the contract to the postsecondary education institution in which the athlete is enrolled, in the manner designated by the institution." LA R.S. 17:3703(K)</p>	<p>purpose of securing compensation for the use of the athlete's name, image, or likeness." LA R.S. 17:3703(F)(1)</p> <p>"Professional representation obtained by an intercollegiate athlete shall be from persons registered with or licensed for such activity by the state [...]" LA R.S. 17:3703(F)(2)</p>	<p>obtaining professional or legal representation pursuant to this Chapter." LA R.S. 17:3703(G)</p>	
<p><a href="#">Maryland</a></p>	<p>Effective July 1, 2023.</p>	<p>"An athletic program contract may prohibit a student athlete from engaging in in-person advertising for a third-party sponsor during official and mandatory team activities without prior approval from the institution's athletic department." Md. Code Ann. § 15-129(D)(2)</p> <p>"A student athlete may not enter into a contract providing compensation to the student athlete for use of the student athlete's name, image, or likeness if a provision of the contract is in conflict with a provision of the student athlete's team athletic program contract. A student athlete who enters into a contract providing compensation to the student athlete for use of the student athlete's name, image, or likeness shall disclose the contract to an official of the public institution of higher education, designated by the public institution of higher education" Md. Code Ann. §§ 15-129(E)(1-2)</p> <p>"Nothing in this section may be construed to grant a student athlete a right to make commercial use of names, trademarks, logos, or other intellectual property owned or controlled by a public institution of higher education." Md. Code Ann. § 15-129(F)</p>	<p>"A public institution of higher education, an athletic association, a conference, or any other group or organization with authority over intercollegiate athletics may not prevent a student athlete from obtaining professional representation in relation to contracts or legal matters." Md. Code Ann. § 15-129(C)(2)</p>	<p>"A public institution of higher education may not: Reduce, rescind, or otherwise affect a student athlete's scholarship because the student athlete earns compensation from the use of the student athlete's name, image, or likeness." Md. Code Ann. § 15-129(B)(1)(II)</p>	<p>None.</p>
<p><a href="#">Michigan</a></p>	<p>This act is set to "take effect December 31, 2022." H.B. 5217 § 11.</p>	<p>"Sec. 6. A student shall not enter into an apparel contract providing compensation to the student for use of his or her name, image, or likeness rights that requires the student to display a sponsor's apparel, or otherwise advertise for a sponsor, during official team activities if the provision is in conflict with a provision of the student's postsecondary educational institution's team contract." HB 5217 § 6 "Sec. 7. (1)</p>	<p>"(3) For purposes of this section, professional representation by an athlete agent, financial advisor, or attorney must be provided by persons licensed in this state, as applicable." HB 5217 § 3</p>	<p>"Sec. 4. For purposes of this act, an athletics grant-in aid or stipend scholarship from a postsecondary educational institution in which a student is enrolled is not compensation for use of a student's name, image, or likeness rights, and the institution shall not revoke or reduce an athletics grant-in aid or stipend scholarship based</p>	<p>None.</p>



ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
		<p>A student who intends to enter into a verbal or written opportunity or contract that would provide compensation to the student for use of his or her name, image, or likeness rights <b>shall disclose the proposed opportunity or contract to a designated official of the postsecondary educational institution that the student attends, as designated by that institution, at least 7 days prior to committing to the opportunity or contract</b>, for review by that institution. (2) If the postsecondary educational institution described in subsection (1) identifies a conflict between the student’s proposed opportunity or contract and any existing agreements of the postsecondary educational institution, the postsecondary educational institution shall communicate that conflict to the student so that the student may negotiate a revision of the opportunity or contract to avoid the conflict and that revision is subject to additional review and approval by the postsecondary educational institution in accordance with this section. (3) A team contract of a postsecondary educational institution’s athletic program shall not prevent a student from receiving compensation for using his or her name, image, or likeness rights for a commercial purpose when the student is not engaged in official team activities. (4) This section does not apply to a contract entered into, modified, or renewed on or before the effective date of this act." HB 5217 § 7</p>		<p>upon a student earning compensation in accordance with this act." HB 5217 § 4</p>	
<p>Mississippi</p>	<p>Effective July 1, 2021. Section 8</p>	<p>“To protect the integrity of its educational mission and intercollegiate athletics program, a <b>postsecondary educational institution may impose reasonable limitations on the dates and time</b> that a student-athlete may participate in endorsement, promotional, social media or other activities related to the license or use of the student-athlete's name, image and likeness. <b>Nothing in this act shall restrict a postsecondary educational institution from exercising its sole discretion to control the authorized use of its marks or logos or to determine a student-athlete's apparel, gear or other wearables during an intercollegiate athletics competition or institution-sponsored event.</b> A student-athlete may not receive or enter into a contract for compensation for the use of his or her name, image or likeness in a way <b>that also uses any registered or licensed marks, logos, verbiage or designs of a postsecondary institution, unless the institution has provided the student-athlete with written permission to do so prior to execution of the contract or receipt of compensation.</b> If permission is granted, <b>the postsecondary educational institution, by agreement of all parties, may be compensated</b> for the use in a manner consistent with market rates. <b>A postsecondary educational institution may also prohibit a student-athlete from wearing any item of clothing, shoes, or other gear or wearables with the name, logo or insignia of any entity during an</b></p>	<p>“A student-athlete may obtain and retain a <b>certified agent</b> for any matter or activity relating to such compensation.” Section 3(1)(b)</p> <p>“A postsecondary educational institution, athletic association, conference or other group or organization with authority over intercollegiate athletics programs, including, but not limited to, the National Collegiate Athletic Association and the National Junior College Athletic Association <b>shall not prevent a student-athlete from obtaining professional representation</b> in relation to name, image or likeness, or to secure a name, image and likeness agreement, including, but not limited to, representation provided by <b>athlete agents or legal representation provided by attorneys.</b> A student-athlete shall provide the postsecondary educational institution with <b>written notice at least seven (7) days prior to entering into a representation agreement</b> with any individual for the purpose of exploring or securing compensation for use of the student-athlete's name, image or likeness. Professional representation obtained by student-athletes <b>must be from persons registered as athlete agents as provided in Section 73-42-1 et</b></p>	<p>“Compensation from the use of a student-athlete's name, image, or likeness <b>may not affect the student-athlete's scholarship eligibility, grant-in-aid or other financial aid, awards or benefits, or the student-athlete's intercollegiate athletic eligibility.</b> Nothing in this act is intended to alter any <b>state and federal laws or regulations regarding the award of financial aid at postsecondary educational institutions.</b>” Section 4(1)</p> <p>“A <b>grant-in-aid, including cost of attendance, and other permissible financial aid, awards or benefits</b> from the postsecondary educational institution in which a student-athlete is enrolled <b>shall not be revoked, reduced, nor the terms and conditions altered</b>, as a result of a student-athlete earning compensation or obtaining professional or legal representation pursuant to this act.” Section 4(9)</p>	<p>“Notwithstanding any other provision of applicable law or agreement to the contrary, <b>a student-athlete shall not be deemed an employee</b> or independent contractor of an association, a conference, or a postsecondary educational institution based on the student-athlete's participation in an intercollegiate athletics program” Section 3(3)</p>

“Summary only. Not to be used as a complete statement of the text of the rules or laws or how they apply to each school.”

ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
		<p><b>intercollegiate athletics competition or institution-sponsored event.”</b> Section 4(3)</p> <p>“A student-athlete shall provide the postsecondary educational institution with <b>written notice at least seven (7) days prior to entering into a representation agreement</b> with any individual for the purpose of exploring or securing compensation for use of the student-athlete’s name, image or likeness.” Section 4(6)</p> <p>“<b>Before any contract</b> for compensation for the use of a student-athlete’s name, image or likeness is executed, and <b>before any compensation</b> is provided to the student-athlete in advance of a contract, <b>the student-athlete shall disclose the contract to a designated official of the postsecondary educational institution</b> in which the student is enrolled in a manner prescribed by the institution.” Section 4(10)</p> <p>“<b>A third-party licensee may not enter into, or offer to enter into, a name, image and likeness agreement</b> with a student-athlete or otherwise compensate a student-athlete for the use of the student-athlete’s name, image and likeness rights <b>if a provision of the name, image and likeness agreement or the use of the student-athlete’s name, image and likeness rights conflicts with a provision of a contract, rule, regulation, standard or other requirement of the postsecondary educational institution unless such contract or use is expressly approved in writing by the postsecondary educational institution.</b>” Section 4(11)</p>	<p><b>seq. of the Uniform Athlete Agent Act. Attorneys</b> who provide legal representation to student-athletes <b>must be licensed to practice law in the State of Mississippi and in good standing with The Mississippi Bar. Athlete agents</b> representing student-athletes shall comply with the <b>Uniform Athlete Agents Act, Section 73-42-1 et seq., Mississippi Code of 1972,</b> and the <b>federal Sports Agent Responsibility and Trust Act in 15 USC Sections 7801-7807</b> in their relationships with student-athletes ” Section 4(6-8)</p>		
<p><a href="#">Missouri</a></p>	<p>Effective <b>August 28, 2021.</b> MO ST 173.280(10)</p>	<p>“<b>No student athlete shall enter into an apparel, equipment, or beverage contract</b> providing compensation to the athlete for use of the athlete’s name, image, likeness rights, or athletic reputation <b>if the contract requires the athlete to display a sponsor’s apparel, equipment, or beverage or otherwise advertise for the sponsor during official team activities if such provisions are in conflict with a provision of the postsecondary institution’s current licenses or contracts.</b>” MO ST 173.280(4)(1)</p> <p>“<b>Except with the prior written consent of the student athlete’s postsecondary educational institution, a student athlete shall not enter into a contract</b> for compensation for the use of such student athlete’s name, image, likeness rights, or athletic reputation, <b>if such institution determines that a term of the contract conflicts with a term of a contract to which such institution is a party.</b>” MO ST 173.280(4)(2)</p> <p>“Before any contract for compensation for the use of a student athlete’s name, image, likeness rights, or athletic reputation, is executed, and before any compensation is provided to the student athlete in advance of a contract, <b>the student athlete shall disclose</b></p>	<p>“<b>No postsecondary educational institution shall uphold any rule, requirement, standard, or other limitation that prevents a student of that institution from fully participating in intercollegiate athletics without penalty and earning compensation</b> as a result of the use of the student’s name, image, likeness rights, or athletic reputation.” MO ST 173.280(2)(1)</p> <p>“<b>No postsecondary educational institution shall interfere with or prevent a student from fully participating in intercollegiate athletics or obtaining professional representation</b> in relation to contracts or legal matters, including, but not limited to, representation provided by <b>athlete agents, financial advisors, or legal representation</b> provided by attorneys.” MO ST 173.280(2)(2)</p> <p>“No contract of a postsecondary educational institution’s athletic program shall prevent a student athlete from receiving compensation for using the student athlete’s name, image, likeness</p>	<p>“<b>A student athlete earning compensation</b> from the use of a student’s name, image, likeness rights, or athletic reputation <b>shall not affect such student athlete’s grant-in-aid or stipend eligibility, amount, duration, or renewal.</b>” MO ST 173.280(2)(1)</p> <p>“[...] <b>no grant-in-aid or stipend shall be revoked or reduced</b> as a result of a student earning compensation under this section.” MO ST 173.280(3)</p>	<p>Yes. Institutions must conduct a financial development program once per year for athletes.</p>

“Summary only. Not to be used as a complete statement of the text of the rules or laws or how they apply to each school.”

ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
		<p>that contract to his or her postsecondary educational institution in a manner prescribed by such institution.” MO ST 173.280(4)(3)</p>	<p>rights, or athletic reputation for a commercial purpose <b>when the athlete is not engaged in official mandatory team activities that are recorded in writing and can be made publicly available upon request.</b>” MO ST 173.280(2)(2)</p>		
<p><a href="#">Montana</a></p>	<p>Effective <b>June 1, 2023</b>. Section 3</p>	<p>“A student-athlete <b>may not enter into a contract</b> that provides compensation to the student-athlete for the use of the student-athlete’s name, image, or likeness <b>if terms of the contract conflict with the student-athlete’s team rules or with terms of a contract entered into between the student-athlete’s postsecondary institution and a third party</b>, except the team rules or a contract entered into between the postsecondary institution and a third party may not prevent a student-athlete from earning compensation for the use of the student-athlete’s name, image, or likeness when not engaged in official team activities.” Section 1(3)(a)</p> <p>“A student-athlete who enters into a <b>contract</b> that provides compensation to the student-athlete for the use of the student-athlete’s name, image, or likeness <b>shall disclose the contract to an official of the postsecondary institution if the student-athlete is a team member or, if the student-athlete is not a team member, at the time the student-athlete seeks to become a team member.</b>” Section 1(3)(b)</p> <p>“If a postsecondary institution asserts that the terms of the <b>contract conflict</b> with the team rules or with terms of a contract entered into between the student-athlete’s postsecondary institution and a third party, the unit <b>shall disclose the specific rules or terms asserted to be in conflict</b> to the student-athlete or to the student-athlete’s professional representative or athlete agent if the student-athlete is represented.” Section 1(3)(c)</p> <p>“A postsecondary school may: <b>prohibit</b> the use of an athlete's name, image, and likeness <b>on school property, at school functions, or in any advertising material distributed or placed on school property.</b>” Section 1(5)(b)</p>	<p>“<b>A postsecondary school may: serve as an agent</b> for the athlete to manage any contract using an athlete's name, image, and likeness.” Section 1(5)(c)</p>	<p>“Except as provided subsections (3) through (6), a <b>postsecondary institution or an athletic association, conference, or organization with authority over intercollegiate sports may not:</b> (d) subject to subsection (5)(a), <b>impose an eligibility requirement on a scholarship or grant</b> that requires a student-athlete to refrain from exercising the student-athlete's rights.” Section 1(2)</p> <p>“A postsecondary school may: <b>include provisions in scholarship agreements</b> allowing the postsecondary school to use the athlete's name, image, and likeness.” Section 1(5)(a)</p>	<p>None.</p>
<p><a href="#">Nebraska</a></p>	<p>“Each postsecondary institution shall determine a date <b>on or before July 1, 2023</b>, upon which the Nebraska Fair Pay to Play Act shall begin to apply to such postsecondary institution and the student-athletes who participate in an intercollegiate sport for such postsecondary institution and</p>	<p>“Any student-athlete who enters into a contract that provides compensation for the use of such student-athlete's name, image, or likeness rights or athletic reputation <b>shall disclose such contract to an official of the postsecondary institution for which such student-athlete participates in an intercollegiate sport.</b> The official to which such contract shall be disclosed shall be designated by each postsecondary institution, and the designation shall be communicated in writing to each student-athlete participating in an intercollegiate sport for such postsecondary institution. Unless otherwise required by law, each postsecondary institution shall be prohibited from disclosing any terms of such</p>	<p>“An agency contract must be in a record, signed or otherwise authenticated by the parties. (2) An agency contract must state or contain: (a) The amount and method of calculating the consideration to be paid by the student-athlete for services to be provided by the athlete agent under the contract and any other consideration the athlete agent has received or will receive from any other source for entering into the contract or for providing the services; (b) The name of any person not listed in the application for registration or</p>	<p>“<b>No postsecondary institution shall allow</b> compensation earned by a student-athlete for the use of such student-athlete's name, image, or likeness rights or athletic reputation to <b>affect the duration, amount, or eligibility for or renewal of any athletic grant-in-aid or other institutional scholarship</b>, except that compensation earned by a student-athlete for the use of such student-athlete's name, image, or likeness rights or athletic reputation may be used for the calculation of income for</p>	

## ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
	to any collegiate athletic association or professional representation in interactions with such postsecondary institution or student-athletes." Neb. Rev. Stat. § 48-3609	<p>contract that the student-athlete or the student- athlete's professional representation deems to be a trade secret or otherwise nondisclosable." Neb. Rev. Stat. § 48-3604</p> <p><b>"No student-athlete shall enter into a contract</b> with a sponsor that provides compensation to the student-athlete for use of the student- athlete's name, image, and likeness rights or athletic reputation if (a) such contract requires such student-athlete to display such sponsor's apparel or to otherwise advertise for the sponsor during official team activities and <b>(b) compliance with such contract requirement would conflict with a team contract.</b> Any postsecondary institution asserting such conflict shall disclose to the student-athlete and the student-athlete's professional representation, if applicable, the full team contract that is asserted to be in conflict. The student-athlete and the student-athlete's professional representation, if applicable, shall be prohibited from disclosing any terms of a team contract that the postsecondary institution deems to be a trade secret or otherwise nondisclosable." Neb. Rev. Stat. § 48-3605(1)</p> <p>"No team contract shall prevent a student-athlete from receiving compensation for the use of such student-athlete's name, image, and likeness rights or athletic reputation when the student-athlete is not engaged in official team activities." Neb. Rev. Stat. § 48-3605(2)</p>	<p>renewal of registration who will be compensated because the student-athlete signed the agency contract; (c) A description of any expenses that the student-athlete agrees to reimburse; (d) A description of the services to be provided to the student-athlete; (e) The duration of the contract; and (f) The date of execution. (3) An agency contract must contain, in close proximity to the signature of the student-athlete, a conspicuous notice in boldface type in capital letters stating:</p> <p>WARNING TO STUDENT-ATHLETE IF YOU SIGN THIS CONTRACT: (1) IF YOU ENTER INTO NEGOTIATIONS FOR, OR SIGN, A PROFESSIONAL-SPORTS- SERVICES CONTRACT, YOU MAY LOSE YOUR ELIGIBILITY TO COMPETE AS A STUDENT- ATHLETE IN YOUR SPORT; (2) IF YOU HAVE AN ATHLETIC DIRECTOR, WITHIN 72 HOURS AFTER ENTERING INTO THIS CONTRACT, BOTH YOU AND YOUR ATHLETE AGENT MUST NOTIFY YOUR ATHLETIC DIRECTOR; AND (3) YOU MAY CANCEL THIS CONTRACT WITHIN 14 DAYS AFTER SIGNING IT. CANCELLATION OF THIS CONTRACT MAY NOT REINSTATE YOUR ELIGIBILITY.</p> <p>(4) An agency contract that does not conform to this section is voidable by the student-athlete. If a student-athlete voids an agency contract, the student-athlete is not required to pay any consideration under the contract or to return any consideration received from the athlete agent to induce the student-athlete to enter into the contract. (5) The athlete agent shall give a record of the signed or otherwise authenticated agency contract to the student-athlete at the time of execution." Neb. Rev. Stat. § 48-2610"An athlete agent, with the intent to induce a student-athlete to enter into an agency contract, may not: (a) Give any materially false or misleading information or make a materially false promise or representation; (b) Furnish anything of value to a student-athlete before the student- athlete enters into the agency contract; or (c) Furnish anything of value to any individual other than the student- athlete or another registered athlete agent. (2) An athlete agent may not intentionally: (a) Initiate contact with a student-athlete unless registered under the Nebraska Uniform Athlete Agents Act; (b) Refuse or fail to retain or permit inspection of the records required to be retained by section 48-2613; (c) Fail to register when required by section 48-2604; (d)</p>	determining eligibility for need-based financial aid." Neb. Rev. Stat. § 48-3603(4)	



ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
<p><a href="#">Nevada</a></p>	<p>Effective <b>January 1, 2022</b>. Section 9.2(b)</p>	<p>“An institution may: Adopt a policy that imposes <b>reasonable restrictions</b> on a student athlete entering into a <b>contract</b> pursuant to section 6 of this act that provides for the student athlete to be compensated for the use of the name, image or likeness of the student athlete with an organization or person whose goods, services or mission are contrary to the mission of the institution” N.R.S. § 398.005(2)(a)</p> <p>“An institution may: Prohibit a student athlete from being compensated for the use of the name, image or likeness of the student athlete if the use of the name, image or likeness is <b>related to official activities</b> of the institution or intercollegiate sports at the institution” N.R.S. § 398.005(2)(b)</p> <p>“A <b>contract</b> entered into pursuant to this subsection <b>may not conflict with any provision of a contract between the student athlete and the institution in which the student athlete is enrolled.</b>” N.R.S. § 398.006(1)</p> <p>“A <b>student athlete</b> who enters into a contract pursuant to subsection <b>1 must disclose the contract to the institution</b> in which the student athlete is enrolled.” N.R.S. § 398.006(2)</p> <p>“If the <b>institution</b> in which the student athlete is enrolled alleges that a provision of a contract entered into pursuant to subsection <b>1 conflicts with a provision of a contract between the student athlete and the institution, the institution shall inform the student athlete</b> and, if the student athlete has legal representation, the <b>attorney</b> of the student athlete of the alleged conflict.” N.R.S. § 398.006(3)</p> <p>“A <b>prospective student athlete shall disclose any previous or existing contract</b> held by the student athlete that provided or provides for the student athlete to be <b>compensated</b> for the use of the <b>name, image or likeness</b> of the student athlete to an <b>institution before signing a letter of intent with the institution.</b>” N.R.S. § 398.006.7</p>	<p>Provide materially false or misleading information in an application for registration or renewal of registration; (e) Predate or postdate an agency contract; or (f) Fail to notify a student-athlete before the student-athlete signs or otherwise authenticates an agency contract for a particular sport that entering into negotiations for, or signing, a professional-sports-services contract the signing or authentication may make the student-athlete ineligible to participate as a student-athlete in that sport.” Neb. Rev. Stat. § 48-2614</p> <p>“An <b>institution</b> shall not: Prevent a student athlete from obtaining <b>professional services</b>” N.R.S. § 398.005(1)(d)</p> <p>“A <b>national collegiate athletic association</b> shall not: Prevent a student athlete from <b>obtaining professional services.</b>” N.R.S. § 398.005(3)(d)</p>	<p>“An <b>institution</b> shall not: Alter, withhold or otherwise reduce the <b>amount of a scholarship</b> awarded to a student athlete solely because a student athlete is <b>compensated</b> for the use of the name, image or likeness of the student athlete by an organization other than the institution or a national collegiate athletic association or because the student athlete <b>obtains professional services.</b>” N.R.S. § 398.005(1)(e)</p> <p>“A <b>national collegiate athletic association</b> shall not: Prevent a student athlete enrolled at an institution from <b>participating in intercollegiate sports</b> solely because the student athlete is compensated for the use of the name, image or likeness of the student athlete by an organization other than the institution or the national collegiate athletic association” N.R.S. § 398.005(3)(a)</p>	<p>“An <b>institution may require</b> a student athlete to take <b>courses</b> or receive education or training in <b>contracts, financial literacy or any other subject</b> the institution deems necessary to prepare a student athlete to enter into contracts.” N.R.S. § 398.006.3</p>

## ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
<a href="#">New Jersey</a>	This act shall take effect at the start of the institution/s 2025-2026 academic year. N.J. PL 2020, c. 83	<p>"A student-athlete who enters into a contract providing compensation to the student-athlete for use of his name, image, or likeness <b>shall disclose the contract to an official of the four-year institution of higher education, to be designated by the institution.</b>" N.J. Stat. § 18A:3B-89(a)</p> <p>"A student-athlete <b>shall not</b> enter into a contract providing compensation to the student-athlete for use of his name, image, or likeness if a provision of the contract: (1) conflicts with a provision of the student-athlete's team contract; or (2) conflicts with the provisions of subsection b. of section 2 of this act." N.J. Stat. § 18A:3B-89(b)</p>	<p>"Legal representation obtained by student-athletes shall be from attorneys licensed by the State. <b>Athlete agents representing student-athletes shall comply with the federal "Sports Agent Responsibility and Trust Act"</b> (15 U.S.C. s.7801 et seq.) in their relationship with student-athletes." N.J. Stat. § 18A:3B-87(a)(3)</p>	<p>"Except as otherwise provided pursuant to subsection b. of this section, earning compensation from the use of a student's name, image, or likeness shall not affect the student's institutional scholarship eligibility. An institutional scholarship shall not be considered compensation for the purposes of this act and a scholarship shall not be revoked as a result of a student earning compensation or obtaining professional representation." N.J. Stat. § 18A:3B-87(a)</p> <p>"Notwithstanding the provisions of subsection a. of this section to the contrary, a student participating in intercollegiate athletics shall be prohibited from earning compensation as a result of the use of the student's name, image, or likeness in connection with any person, company, or organization related to or associated with the development, production, distribution, wholesaling, or retailing of: adult entertainment products and services; alcohol products; casinos and gambling, including sports betting, the lottery, and betting in connection with video games, on-line games, and mobile devices; tobacco and electronic smoking products and devices; 1prescription1 pharmaceuticals; a controlled dangerous substance; and weapons, including firearms and ammunition. <b>Earning compensation from the use of a student's name, image, or likeness in connection with products and services listed pursuant to this subsection shall result in the revocation of the student's institutional scholarship eligibility.</b>" N.J. Stat. § 18A:3B-87(b)</p>	
<a href="#">New Mexico</a>	Effective July 1, 2021	<p>"A third party <b>shall not</b> offer a student athlete a contract to provide compensation to the student athlete for use of the student athlete's name, image, likeness or athletic reputation <b>that requires a student athlete to advertise for the sponsor in person during official, mandatory team activities without the approval of the student athlete's post-secondary educational institution.</b>" Section 3(C)</p>	<p>"A post-secondary educational institution <b>shall not interfere with or prevent</b> a student athlete from fully participating in athletics for <b>obtaining representation</b> unaffiliated with a post-secondary educational institution or its partners in relation to contracts or legal matters. <b>An entity or individual that represents a post-secondary educational institution or has represented that post-secondary educational institution in the previous four years shall not represent a student athlete who is attending that post-secondary educational institution in any business agreement.</b>" Section 4</p>	<p>"Earning compensation from the use of a student athlete's name, image, likeness or athletic reputation <b>shall not affect a student athlete's grant-in-aid or stipend eligibility, amount, duration or renewal.</b> For the purposes of this section, <b>a grant-in-aid or stipend shall not be revoked or reduced</b> as a result of a student athlete earning compensation pursuant to this section." Section 3(B)</p>	None.

## ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
<a href="#">North Carolina</a>	Effective <b>immediately</b> . NC E.O. 223, 2021	<p>“An institution may prohibit student-athletes from receiving compensation or entering into agreements or contracts for use of their name, image, and likeness <b>if such arrangements conflict with a contract of the institution</b>” NC E.O. 223, 2021 (1)(B)(i)</p> <p>“An institution may prohibit student-athletes from receiving <b>compensation</b> for use of their name, image, and likeness <b>from supporting organizations of the institution including entities that are wholly or partially owned or controlled by the institution</b>” NC E.O. 223, 2021 (1)(B)(ii)</p> <p>“An institution may limit a student-athlete's compensation for their name, image, and likeness <b>as it pertains to use of the institution's intellectual property, facilities, or other equipment and gear provided by the institution</b>, including but not limited to uniforms, insignias, and logos.” NC E.O. 223, 2021 (1)(B)(vi)</p> <p>“An institution may promulgate reasonable rules and regulations <b>regarding reporting and disclosure requirements</b> as it relates to a student athlete's receipt of compensation, execution of a contract providing compensation, or intent to enter into a contract providing compensation, regarding use of their name, image, and likeness.” NC E.O. 223, 2021 (1)(B)(vii)</p>	<p>“An institution may impose reasonable limitations or exclusions <b>on the categories of products and brands</b> that a student-athlete may receive compensation for endorsing or otherwise enter into agreements or contracts for use of their name, image, and likeness to the extent that the institution reasonably determines that a product or brand is <b>antithetical to the values of the institution or that association with the product or brand may negatively impact the image of the institution</b>” NC E.O. 223, 2021 (1)(B)(iii)</p> <p>“An institution may limit compensation regarding name, image, and likeness of a student-athlete <b>during official team activities or institution-sponsored events</b>” NC E.O. 223, 2021 (1)(B)(iv)</p> <p>“An institution may require, and establish <b>procedures for ascertaining</b>, that a student-athlete's name, image, and likeness <b>use</b> is commensurate with <b>fair market value</b>” NC E.O. 223, 2021 (1)(B)(v)</p>	<p>“[...] compensation and representation for their name, image, and likeness <b>shall not affect a student-athlete's scholarship eligibility</b>” NC E.O. 223, 2021 (1)(A)</p>	<p>Yes. “Postsecondary educational institutions are encouraged to provide <b>financial literacy and lifeskill programs</b> to their student-athletes, including educational workshops on time management and budgeting.” NC E.O. 223, 2021 (1)(C)</p>
<a href="#">Ohio</a>	Effective <b>July 1, 2021</b> . Ohio Exec. Order No. 2021-10D	<p>“A student-athlete shall not enter into a contract providing compensation to the student-athlete for use of the student-athlete's name, image, or likeness <b>that requires the student-athlete to display a sponsor's product, or otherwise advertise for a sponsor, during official team activities or any other time</b> if that requirement is <b>in conflict with a provision of a contract to which a state institution of higher education or private college is a party.</b>” Ohio Exec. Order No. 2021-10D (5)</p> <p>“A student-athlete who intends to enter into a verbal or written contract providing compensation to the student-athlete for use of the student-athlete's name, image, or likeness <b>shall disclose the proposed contract to an official of the state institution of higher education or private college for review</b> by the institution or college. <b>The institution or college shall designate an official to whom the student-athlete is to disclose the proposed contract.</b>” Ohio Exec. Order No. 2021-10D (6)</p> <p>“If a state institution of higher education or private college identifies a conflict between the proposed verbal or written contract and any <b>existing provisions of a contract to which the institution or college is a party, the institution or college shall communicate to the student-athlete</b> the relevant contract provision that is in conflict. <b>The student-athlete shall not enter into the proposed contract, but the student-athlete may negotiate a revision to the proposed contract to avoid the</b></p>	<p>“No state institution of higher education or private college, shall do any of the following: [...]”</p> <p>B. <b>Prevent a student-athlete who resides in this state and participates in intercollegiate athletics from obtaining professional representation in relation to contracts or legal matters</b> regarding opportunities to be compensated for use of the student-athlete's name, image, or likeness.</p> <p>C. <b>Interfere with or prevent a student-athlete from fully participating in intercollegiate athletics</b> because the student-athlete obtains professional representation in relation to contracts or legal matters regarding opportunities to earn compensation for use of the student-athlete's name, image, or likeness.” Exec. Order No. 2021-10D (2)</p> <p>“A contract between a student-athlete and a state institution of higher education's or private college <b>shall not prevent the student-athlete from using the student-athlete's name, image, or likeness for a commercial purpose when the student-athlete is</b></p>	<p>“No state institution of higher education or private college shall uphold any rule, requirement, standard, or other limitation <b>that prevents a student-athlete of that institution or college from fully participating in intercollegiate athletics</b> because the student-athlete earns compensation as a result of the use of the student-athlete's name, image, or likeness. <b>Earning compensation</b> from the use of a student-athlete's name, image, or likeness <b>shall not affect the student-athlete's scholarship eligibility or renewal.</b>” Ohio Exec. Order No. 2021-10D (1)</p> <p>“No state institution of higher education or private college shall revoke or reduce a scholarship as a result of a student-athlete earning compensation for use of the student-athlete's name, image, or likeness if the student-athlete earns that compensation in accordance with this executive order.” Ohio Exec. Order No. 2021-10D (3)</p>	None.

ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
		<p><b>conflict. The revised proposed contract is subject to review by the institution or college</b> to ensure compliance with this executive order.” Ohio Exec. Order No. 2021-10D (7)</p> <p>“<b>A state institution of higher education or private college may establish reasonable policies or standards to address a student-athlete’s failure to provide the disclosure</b> required under this executive order or any other failure to comply with the requirements of this executive order.” Ohio Exec. Order No. 2021-10D (8)</p>	<p><b>not engaged in official team activities.”</b> Exec. Order No. 2021-10D (4)</p>		
<p><a href="#">Oklahoma</a></p>	<p>Effective date decided by each school on or before <b>July 1, 2023</b>. Okla. Stat. tit. 70, § 820.26</p>	<p>“<b>A student athlete</b> who enters into a <b>contract</b> providing compensation to the student athlete for use of his or her name, image or likeness <b>shall disclose the contract in a manner designated by the postsecondary institution, but in any event within seventy-two (72) hours after entering into the contract or before the next athletic event</b> in which the student athlete is eligible to participate, whichever occurs first.” Okla. Stat. tit. 70, § 820.24(C)</p> <p>“<b>A student athlete shall not enter into a contract</b> that provides compensation to the student athlete for use of his or her name, image or likeness if a provision of the contract is <b>in conflict with a provision of the postsecondary institution’s team contract.</b>” Okla. Stat. tit. 70, § 820.25(A)</p> <p>“<b>A student athlete shall not enter into a contract</b> with a third party that provides compensation to the student athlete for use of his or her name, image or likeness or athletic reputation if: 1. The contract requires the student athlete to display the <b>third party’s apparel or to otherwise advertise for the third-party during team activities</b>; 2. Compliance with the third-party contract would <b>conflict with a team contract</b>; or 3. The contract allows for the use or consents to the <b>use of any institutional marks during the student athlete’s third-party contract activities.</b>” Okla. Stat. tit. 70, § 820.25(B)</p> <p>“<b>A student athlete shall not enter into</b> a name, image and likeness <b>agreement</b> involving a commercial product or service <b>that conflicts with a written policy of the postsecondary institution</b> which is in compliance with the bylaws and legislation of the applicable collegiate athletic association including, but not limited to, sports wagering or banned substances or that negatively impacts or reflects adversely on the postsecondary institution or its athletic programs including, but not limited to, generating public disrepute, embarrassment, scandal, ridicule or otherwise negatively impacting the reputation or the moral or ethical standards of the postsecondary institution.” Okla. Stat. tit. 70, § 820.25(D)</p>		<p>“<b>A collegiate athletic association shall not, and shall not authorize its member institutions</b> to: Allow compensation earned by a student athlete for the use of his or her name, image or likeness or athletic reputation to <b>affect the amount, duration or renewal of or eligibility for any athletic grant-in-aid or other institutional scholarship</b>; provided, however, compensation earned by a student athlete for the use of his or her name, image or likeness or athletic reputation may be used for the calculation of income for determining eligibility for need-based financial aid.” Okla. Stat. tit. 70, § 820.23(D)(5)</p> <p>“<b>A student athlete may obtain professional representation</b> by an <b>athlete agent or attorney</b> for the purpose of securing compensation for the use of his or her name, image or likeness <b>without penalty, resulting limitation on participation or effect on the student-athlete’s athletic grant-in-aid eligibility.</b>” Okla. Stat. tit. 70, § 820.24(A)</p>	<p>None.</p>

“Summary only. Not to be used as a complete statement of the text of the rules or laws or how they apply to each school.”



ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
<p><a href="#">Oregon</a></p>	<p>Effective <b>July 1, 2021</b>. Section 5.</p>	<p><b>“A student athlete may not enter into a contract</b> that provides compensation to the student athlete for use of the student athlete’s name, image or likeness <b>if terms of the contract conflict with the student athlete’s team rules or with terms of a contract entered into between the student athlete’s post-secondary institution of education and a third party</b>, except neither the team rules nor a contract entered into between the post-secondary institution of education and a third party may prevent a student athlete from earning compensation for use of the student athlete’s name, image or likeness <b>when not engaged in official team activities</b>, including participating in or being part of an advertisement that was created while not engaged in official team activities but that may otherwise be broadcasted, displayed or disseminated at any time.” Section 1(3)(a)</p> <p><b>“A student athlete who enters into a contract</b> that provides compensation to the student athlete for use of the student athlete’s name, image or likeness <b>shall disclose the contract to an official of the post-secondary institution of education designated by the institution</b> if the student athlete is a team member or, if the student athlete is not a team member, at the time the student athlete seeks to become a team member.” Section 1(3)(b)</p> <p><b>“If the post-secondary institution of education asserts that the terms of the contract conflict with the team rules or with terms of a contract entered into between the student athlete’s post-secondary institution of education and a third party, the institution shall disclose</b> the specific rules or terms asserted to be in conflict to the student athlete or to the student athlete’s professional representative or athlete agent if the student athlete is represented.” Section 1(3)(c)</p> <p>If student athlete has an athletic director, <b>both student athlete and athlete agent must notify athletic director within 72 hours after entering into the contract, or before student athlete participates in any interscholastic or intercollegiate sports event, whichever occurs first</b>, that student athlete has entered into the contract and provide the name and contact information of the athlete agent. Section 4(3)</p>	<p><b>“Student’s rights’</b> means the rights of a student enrolled in a post-secondary institution of education <b>to earn compensation for use of the student’s name, image or likeness and to contract with and retain professional representation or an athlete agent.</b>” Section 1(1)(c)(A)</p> <p>“Except as provided in this section, a <b>post-secondary institution of education or an athletic association, conference or organization with authority over intercollegiate sports may not:</b> (a) <b>Prohibit, prevent or restrict a student athlete from exercising the student’s rights.</b> (b) <b>Penalize or retaliate against a student athlete</b> for exercising the student’s rights. [...] (e) <b>Prohibit a student athlete from receiving food, drink, lodging or medical expenses or insurance coverage</b> from a third party as compensation for use of the student’s name, image or likeness.” Section 1(2)</p> <p><b>“A student athlete may not contract with or retain a person as the student athlete’s professional representative or athlete agent, if the person represented a post-secondary institution of education at any time in the preceding four years.”</b> Section 1(5)</p>	<p>“Except as provided in this section, a <b>post-secondary institution of education or an athletic association, conference or organization with authority over intercollegiate sports may not:</b> [...] (c) <b>Prohibit a student athlete from participating in an intercollegiate sport</b> for exercising the student’s rights. (d) <b>Impose an eligibility requirement on a scholarship or grant</b> that requires a student athlete to refrain from exercising the student’s rights.” Section 1(2)</p>	
<p><a href="#">Pennsylvania</a></p>	<p>Effective immediately.</p>	<p>“This article shall not establish or grant a right to a college student athlete to <b>use the name, trademarks, services marks, logos, symbols or any other intellectual property, registered or unregistered, of an institution of higher education, athletic association, conference or other group or organization with authority over intercollegiate athletics</b>, in furtherance of the college student athlete’s opportunities to earn compensation for the college student athlete’s use of the college student athlete’s name, image or likeness rights.” Section 2006-K(B)</p>	<p><b>“An institution of higher education may not:</b> (1) <b>Uphold a rule, requirement, standard or other limitation that prevents a college student athlete of the institution of higher education from earning compensation</b> through the use of the college student athlete’s name, image or likeness rights.” Section 2003-K(B)</p> <p><b>“An institution of higher education, athletic association, conference or other group or</b></p>	<p>“Earning compensation from the use of a college student athlete’s name, image or likeness rights <b>may not affect the college student athlete’s scholarship eligibility, duration or renewal.</b>” Section 2005-K(A)</p> <p>“[...] an <b>athletics grant-in-aid or stipend scholarship</b> from an institution of higher education in which a college student athlete is enrolled <b>may not be considered to limit a college student athlete’s right to use the college student athlete’s name, image or</b></p>	<p>None.</p>

“Summary only. Not to be used as a complete statement of the text of the rules or laws or how they apply to each school.”

## ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
		<p><b>“An institution of higher education may prohibit a college student athlete’s involvement</b> in name, image or likeness activities that <b>conflict with existing institutional sponsorship arrangements</b> at the time the college student athlete discloses a contract to the institution of higher education as required under subsection (F). <b>An institution of higher education</b>, at the institution of higher education’s discretion, <b>may prohibit a college student athlete’s involvement in name, image or likeness activities based on other considerations, such as conflict with institutional values</b>, as defined by the institution of higher education. An institution of higher education shall have policies that specify the name, image or likeness activities in which college student athletes may or may not engage.” Section 2006-K(E)</p> <p><b>“A college student athlete who proposes to enter into a contract</b> providing compensation to the college student athlete for use of the college student athlete’s name, image or likeness rights <b>shall disclose the contract at least seven days prior to execution of the contract to an official of the institution of higher education</b>, who is designated by the institution of higher education.” Section 2006-K(F)</p>	<p>organization with authority over intercollegiate athletics, including the NCAA, <b>may not interfere with or prevent a college student athlete from fully participating in intercollegiate athletics for obtaining professional representation in relation to contracts or legal matters</b>, including representation provided by athlete agents, financial advisors or legal representation provided by attorneys, in relation to a college student athlete’s use of the college student athlete’s name, image or likeness rights.” Section 2004-K(A)(1)</p> <p><b>“Professional representation obtained by a college student athlete shall be</b> from a person: (1) Acting as an athlete agent in accordance with 5 PA.C.S. Ch. 33 (relating to registration); (2) Acting as a financial advisor in accordance with the laws of this commonwealth; or (3) Admitted to practice law by a court of record of this commonwealth.” Section 2004-K(A)(B)</p>	<p><b>likeness rights</b>, except as expressly provided in this section. <b>An athletics grant-in-aid or stipend scholarship may not be revoked or reduced</b> as a result of a college student athlete earning compensation under this article, except if otherwise mandated by federal or state student aid guidelines.” Section 2005-K(B)</p>	
<p><a href="#">South Carolina</a></p>	<p>Effective <b>July 1, 2022</b>. Section 7.</p>	<p><b>“An intercollegiate athlete may receive compensation only</b> for the use of his name, image, or likeness for third-party endorsements, the intercollegiate athlete’s <b>non-athletic work product</b>, or activities related to a business that the intercollegiate athlete owns.” S.C. Code Ann. § 59-158-20(B)</p> <p><b>“An intercollegiate athlete at an institution of higher learning may not use the institution of higher learning’s facilities, uniforms provided by the institution</b> of higher learning, or the institution of higher learning’s <b>intellectual property</b>, including, but not limited to, the unauthorized use of a registered trademark or product protected by copyright, in connection with the use of the intercollegiate athlete’s name, image, or likeness activities.” S.C. Code Ann. § 59-158-20(E)</p> <p><b>“Activities related to an intercollegiate athlete’s use of his name, image, or likeness for compensation are prohibited from taking place during the intercollegiate athlete’s participation in academic, athletic, or team-mandated activities</b> as defined by the institution of higher learning.” S.C. Code Ann. § 59-158-20(F)</p> <p><b>“An institution of higher learning may prohibit</b> an intercollegiate athlete from using his name, image, or likeness for compensation if the proposed use of his name, image, or likeness <b>conflicts with: existing institutional sponsorship agreements or other contracts.</b>” S.C. Code Ann. § 59-158-40(B)(1)(a)</p>	<p><b>“Professional representation obtained by a college student athlete shall be</b> from a person: (1) Acting as an athlete agent in accordance with 5 PA.C.S. Ch. 33 (relating to registration); (2) Acting as a financial advisor in accordance with the laws of this commonwealth; or (3) Admitted to practice law by a court of record of this commonwealth.” Section 2004-K(A)(B)</p>	<p><b>“A grant in aid, including the cost of attendance</b>, awarded to an intercollegiate athlete by an institution of higher learning is not compensation for the purposes of this chapter and <b>may not be revoked or reduced</b> as a result of an intercollegiate athlete earning compensation or obtaining professional representation under this chapter. Name, image, or likeness compensation <b>shall not be used to limit athletic grant in aid but may be used in the calculation for need-based financial aid available to the general student population.</b>” S.C. Code Ann. § 59-158-20(I)</p> <p><b>“Earning compensation in compliance with the provisions contained in Section 59-158-40 does not affect an intercollegiate athlete’s grant in aid or athletic eligibility.</b>” S.C. Code Ann. § 59-158-30</p>	<p><b>“An intercollegiate athlete participating in name, image, or likeness activities must abide by his institution of higher learning and its athletics department’s policies with respect to missed class time and good academic standing.</b> Good academic standing includes meeting both <b>grade point average and course hour requirements</b>. An intercollegiate athlete must also <b>meet all academic requirements of the athletic association and conference</b> that his institution of higher learning is a member of in order to participate in name, image, or likeness activities.” S.C. Code Ann. § 59-158-50</p>

ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
<p><a href="#">Tennessee</a></p>	<p>Effective <b>January 1, 2022</b>. Section 3.</p>	<p><b>“An institution of higher learning must disclose known prohibitions</b> for the use of an intercollegiate athlete's name, image, or likeness <b>at the time that an intercollegiate athlete is admitted to the institution of higher learning or when the intercollegiate athlete signs a financial aid agreement or team contract.</b>” S.C. Code Ann. § 59-158-40(C)</p> <p>“A prospective intercollegiate athlete who enters into a name, image, or likeness contract <b>shall disclose the name, image, or likeness contract to his institution of higher learning and its athletic department prior to enrollment or signing a financial aid agreement with the institution of higher learning or a team contract.</b>” S.C. Code Ann. § 59-158-60(A)</p> <p>“(B) <b>A current intercollegiate athlete must disclose the terms</b> of a name, image, or likeness <b>contract prior to signing</b> the name, image, or likeness contract, in a manner designated by the institution of higher learning. (C) The <b>disclosures</b> required by this section must: (1) describe the <b>proposed use</b> of the intercollegiate athlete's name, image, or likeness, <b>compensation</b> arrangements, the <b>name of the athlete agent</b>, and a list of <b>all parties</b> to the name, image, or likeness contract; and (2) be made in the manner designated by the institution of higher learning.” S.C. Code Ann.” § 59-158-60</p> <p>“(A) Name, image, or likeness <b>contracts</b> authorized by this chapter must have a prominent <b>disclosure</b> at the <b>beginning and end of the name, image, or likeness contract</b> that an intercollegiate athlete must acknowledge separately. The <b>disclosure required pursuant to this section shall be worded to warn the intercollegiate athlete of potential eligibility issues</b> that may exist under current rules and policies of athletic conferences or collegiate athletic associations concerning the use of the intercollegiate athlete's name, image, or likeness and shall clearly set forth the reporting requirements contained in Section 59-158-60. (B) All name, image, or likeness <b>contracts must provide for an unequivocal ten-day revocation period for the intercollegiate athlete.</b> (C) At least <b>five days prior to the execution</b> of a name, image, or likeness contract authorized by this chapter, <b>the third party</b> proposing to enter into the name, image, or likeness contract with the intercollegiate athlete <b>must disclose, in writing</b>, to the intercollegiate athlete any prior or existing association, either formally or informally, with any institution of higher learning or any prior or existing financial involvement with respect to athletics. S.C. Code Ann.” § 59-158-70</p> <p><b>“Intercollegiate athletes</b> who earn compensation for the use of the athlete's name, image, or likeness <b>must disclose any agreement and the terms of such agreement to the institution and file annual reports with the institution</b> in which they are enrolled, at a time and in a manner designated by the institution. The report must include the <b>identities of entities</b> or persons who</p>	<p>“An <b>institution</b>, or an officer, director, or employee of the institution <b>may not be involved in the development, operation, or promotion of a current or prospective intercollegiate athlete's name, image, or likeness</b>, including actions that</p>	<p>“Any compensation earned <b>does not affect the intercollegiate athlete's grant-in-aid or athletic eligibility.</b> To the extent that intercollegiate athletes receive need-based financial aid, <b>an institution may adjust an intercollegiate athlete's need-based financial aid</b> as a result of compensation earned for</p>	<p>“Institutions shall conduct a <b>financial literacy workshop</b> for intercollegiate athletes <b>during the athlete's first full-time term</b> of enrollment. The workshop must cover, at a minimum, information related to the requirements of this part, budgeting, and debt management. An institution may contract</p>

“Summary only. Not to be used as a complete statement of the text of the rules or laws or how they apply to each school.”

ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
		<p>provide compensation to the intercollegiate athlete, the <b>amount of compensation</b> received from each person or entity, and any other information the institution deems relevant for determining such identities and compensation.” Tenn. Code Ann. § 49-7-2802(d)</p> <p>“An institution may adopt <b>reasonable time, place, and manner restrictions</b> to prevent an intercollegiate athlete’s name, image, or likeness activities from <b>interfering with team activities, the institution’s operations, or the use of the institution’s facilities.</b>” Tenn. Code Ann. § 49-7-2802(f)</p> <p>“An institution <b>may prohibit use of the institution’s intellectual property</b>, including, but not limited to, its trademarks, trade dress, and copyrights, by the institution’s intercollegiate athletes in the athletes’ personal name, image, and likeness activities.” Tenn. Code Ann. § 49-7-2802(g)(2)</p> <p>“No intercollegiate athlete or the athlete’s representative may enter into an <b>agreement</b> for compensation for the use of the athlete’s name, image, or likeness if the agreement <b>conflicts or unreasonably competes with the terms of an existing agreement entered into by the institution the athlete attends.</b> The institution asserting a <b>conflict</b> or unreasonable competition under this subsection must <b>disclose the relevant terms</b> of the institution’s existing agreement that conflicts or unreasonably competes with the athlete’s agreement to the intercollegiate athlete or the athlete’s representative” Tenn. Code Ann. § 49-7-2802(i)(1-2)</p>	<p>compensate or cause compensation to be provided to athletes.” Tenn. Code Ann. § 49-7-2802(b)(1)</p> <p>“<b>An intercollegiate athlete may obtain representation by a third party</b>, including, but not limited to, an <b>athlete agent</b>, for the purpose of securing compensation for the use of the athlete’s name, image, or likeness. Any third-party representative of an intercollegiate athlete under this part shall be a fiduciary for the represented intercollegiate athlete. All athlete agents who represent intercollegiate athletes under this part for purposes of securing compensation for the use of the athlete’s name, image, or likeness must be licensed under§ 49-7-2104 and must satisfy the requirements of title 49, chapter 7, part 21. If the athlete’s representative is an <b>attorney</b> who represents an intercollegiate athlete for purposes of securing compensation for the use of her or his name, image, or likeness, then <b>the attorney must also be active and in good standing with the board of professional responsibility or equivalent entity in the state in which the attorney is licensed.</b>” Tenn. Code Ann. § 49-7-2802(h)</p>	<p>the athlete’s name, image, or likeness in the same manner as the institution would for other students with equivalent levels of financial need.” Tenn. Code Ann. § 49-7-2802(e)</p>	<p>with qualified persons or entities to conduct the workshop.” Tenn. Code Ann. § 49-7-2802(l)</p>
<p><a href="#">Texas</a></p>	<p>Effective <b>July 1, 2021</b>. Section 4.</p>	<p>“A <b>student athlete</b> participating in an intercollegiate athletic program at an institution to which this section applies: <b>shall, before entering into the contract, disclose to the institution, in the manner prescribed by the institution, any proposed contract</b> the student athlete may sign for use of the student athlete’s name, image, or likeness” Tex. Ed. Code § 51.9246(g)(1)</p> <p>“A <b>student athlete</b> participating in an intercollegiate athletic program at an institution to which this section applies: <b>may not enter into a contract</b> for the use of the student athlete’s name, image, or likeness if: any provision of the contract <b>conflicts with a provision of the student athlete’s team contract, a provision of an institutional contract of the institution, a policy of the athletic department of the institution, or a provision of the honor code of the institution</b>” Tex. Ed. Code § 51.9246(g)(2)(A)</p> <p>“<b>An institution</b> to which this section applies <b>that identifies a provision</b> in a contract disclosed to the institution by a student athlete under Subsection (g)(1) <b>that conflicts</b> with a provision in the student athlete’s team contract, a provision of an institutional contract of the institution, a policy of the athletic department of</p>	<p>“<b>An institution</b> to which this section applies <b>may not:</b> adopt or enforce a policy, requirement, standard, or limitation that <b>prohibits</b> or otherwise prevents a student athlete participating in an intercollegiate athletic program at the institution from: <b>obtaining professional representation, including representation by an attorney</b> licensed to practice law in this state, for contracts or other legal matters relating to the use of the student athlete’s name, image, or likeness” Tex. Ed. Code § 51.9246(c)(1)(B)</p>	<p>“A <b>student athlete</b> participating in an intercollegiate athletic program at an institution to which this section applies <b>may not be disqualified from eligibility for a scholarship, grant, or similar financial assistance awarded by the institution</b> because the student athlete: (1) earns compensation from the use of the student athlete’s name, image, or likeness when the student athlete is not engaged in official team activities; or (2) obtains professional representation, including representation by an attorney licensed to practice law in this state, for contracts or other legal matters relating to use of the student athlete’s name, image, or likeness.” Tex. Ed. Code § 51.9246(e)</p>	<p>“An institution to which this section applies <b>shall require</b> a student athlete participating in an intercollegiate athletic program at the institution to attend a <b>financial literacy and life skills workshop at the beginning of the student’s first and third academic years</b> at the institution. The workshop must be at least <b>five hours in duration</b> and include information on <b>financial aid, debt management, time management, budgeting, and academic resources</b> available to the student athlete.” Tex. Ed. Code § 51.9246(i)</p>

“Summary only. Not to be used as a complete statement of the text of the rules or laws or how they apply to each school.”



## ENACTED STATE LAWS

STATES	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
		<p>the institution, or a provision of the honor code of <b>the institution shall promptly disclose the conflict to the student athlete or the student athlete's representative, if applicable. The student athlete or the student athlete's representative is responsible for resolving the conflict not later than the 10th day after the date of the disclosure.</b>" Tex. Ed. Code § 51.9246(h)</p>			

PROPOSED STATE LAWS

STATES	PROPOSED EFFECTIVE DATE	STATUS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION, AND/OR OTHER AREAS
<a href="#">Iowa</a>	The bill would take effect immediately and apply to any agreement entered into, renewed, modified, or extended on or after the earliest of (1) July 1, 2021, (2) the effective date of a substantially similar federal law, or (3) the effective date of an athletic association or athletic conference rule regarding name, image and likeness compensation for student athletes.	Bill was approved by Senate Judiciary Committee on February 17, 2021.	None.
<a href="#">Kansas</a>	January 1, 2022.	The bill passed the Kansas House of Representatives on March 2, 2021 and had a hearing in the Senate Committee on Federal and State Affairs on March 18, 2021. The bill was referred to Senate Committee on Federal and State Affairs.	None.
<a href="#">Massachusetts (House - Howitt)</a> <a href="#">Massachusetts (House - Gonzalez)</a> <a href="#">Massachusetts (Senate)</a>	No effective date indicated in bill but, per Massachusetts law, enacted bills become effective 90 days after approval by the Governor.	Both Massachusetts House of Representatives bills and the Massachusetts Senate bill were referred to the Joint Committee on Higher Education on March 29, 2021. A hearing was scheduled for 7/13/2021 for all three bills.	None for either.
<a href="#">New York (Assemblywoman Solages)</a> <a href="#">New York (Senator Griffo)</a> <a href="#">New York (Senator Parker and Bailey)</a>	Assemblywoman Solages' bill – January 1, 2022 Senator Griffo's bill – effective immediately Senator Parker and Bailey's bill – January 1, 2022	Assemblywoman Solages' bill was amended and recommitted to the Standing Committee on Higher Education on June 7, 2021. Senator Griffo's bill was referred to the Standing Committee on Higher Education on February 11, 2021. Senator Parker and Bailey's bill passed the Senate and was referred to the Standing Committee on Higher Education on June 10, 2021.	Assemblywoman Solages' bill and Senator Parker and Bailey's bill require institutions to offer a student-athlete assistance program that may include financial literacy training, mental health support, and leadership training.

PROPOSED FEDERAL LEGISLATION (117<sup>th</sup> Congress)

FEDERAL BILL	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION AND/OR OTHER AREAS
<p><a href="#">S. 238 - College Athlete Economic Freedom Act</a></p> <p>This bill was introduced by and is being sponsored by Senator Chris Murphy (D-CT) on February 4, 2021.</p>	<p>On February 4, 2021, the bill was read twice and referred to the Senate Committee on Commerce, Science, and Transportation.</p>	<p>No explicit prohibition on student athletes entering into contracts that interfere with team contracts or explicit disclosure requirements.</p>	<p>"(b) RIGHT TO REPRESENTATION. — (1) ABILITY FOR COLLEGE ATHLETES TO RETAIN REPRESENTATION. — An institution of higher education or intercollegiate athletic association may not prevent a college athlete or prospective college athlete from fully participating in intercollegiate athletics based on the college athlete or prospective college athlete having obtained professional representation with respect to a contract or legal matter, including— (A) representation provided by an athlete agent or financial advisor; and (B) legal representation provided by an attorney.</p> <p>(2) PROHIBITIONS ON THE REGULATION OF REPRESENTATION. — An institution of higher education or intercollegiate athletic association may not regulate the legal, financial, or agency representation of college athletes and prospective college athletes with respect to the marketing of their names, images, likenesses, or athletic reputations, including the certification of such legal, financial, or agency representation." Sec. 3(b)</p>	<p>(5) GRANTS-IN-AID. — Receipt of compensation for the use of the name, image, likeness, or athletic reputation of a college athlete or prospective college athlete shall not adversely affect— (A) the eligibility or opportunity of a college athlete or prospective college athlete to apply for a grant-in-aid; or (B) the amount, duration, or renewal of the grant-in-aid of a college athlete or prospective college athlete." Sec. 3(a)(5)</p>	<p>This bill prohibits colleges, universities, and athletic associations from preventing or prohibiting student athletes obtaining a “collective representative to facilitate group licensing agreements or provide representation for college athletes.” Sec. 3(a)(3)</p> <p>This bill address potential concerns around Title VII, Title IX, and other anti-discrimination laws by requiring that institutions or parties affiliated with institutions that provide support for NIL marketing “shall make such support accessible to all college athletes in the applicable athletic program, regardless of gender, race, or participating sport.” Sec. 3(a)(6)</p>
<p><a href="#">H.R. 850 - College Athlete Economic Freedom Act</a></p> <p>This bill was introduced by Representative Lori Trahan (D-MA) on February 4, 2021.</p>	<p>On April 23, 2021, the bill was referred to the Subcommittee on Courts, Intellectual Property, and the Internet.</p>	<p>No explicit prohibition on student athletes entering into contracts that interfere with team contracts or explicit disclosure requirements.</p>	<p>"(b) RIGHT TO REPRESENTATION. — (1) ABILITY FOR COLLEGE ATHLETES TO RETAIN REPRESENTATION. — An institution of higher education or intercollegiate athletic association may not prevent a college athlete or prospective college athlete from fully participating in intercollegiate athletics based on the college athlete or prospective college athlete having obtained professional representation with respect to a contract or legal matter, including— (A) representation provided by an athlete agent or financial advisor; and (B) legal representation provided by an attorney.</p>	<p>(5) GRANTS-IN-AID. — Receipt of compensation for the use of the name, image, likeness, or athletic reputation of a college athlete or prospective college athlete shall not adversely affect— (A) the eligibility or opportunity of a college athlete or prospective college athlete to apply for a grant-in-aid; or (B) the amount, duration, or renewal of the grant-in-aid of a college athlete or prospective college athlete." Sec. 3(a)(5)</p>	<p>This bill prohibits colleges, universities, and athletic associations from preventing or prohibiting student athletes obtaining a “collective representative to facilitate group licensing agreements or provide representation for college athletes.” Sec. 3(a)(3)</p> <p>This bill address potential concerns around Title VII, Title IX, and other anti-discrimination laws by requiring that institutions or parties affiliated with institutions that provide support for NIL marketing “shall make such support accessible to all college athletes in the applicable athletic program, regardless of gender, race, or participating sport.” Sec. 3(a)(6)</p>

PROPOSED FEDERAL LEGISLATION (117<sup>th</sup> Congress)

FEDERAL BILL	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION AND/OR OTHER AREAS
<p><a href="#">S. 414 - Amateur Athletes Protection and Compensation Act of 2021</a></p> <p>This bill was introduced by and is being sponsored by Senator Jerry Moran (R-KS) on February 4, 2021.</p>	<p>On February 24, 2021, the bill was read twice and referred to the Senate Committee on Commerce, Science, and Transportation.</p>	<p>“(4) DISCLOSURES. —</p> <p>(A) ENROLLED ATHLETES. — With respect to an amateur intercollegiate athlete enrolled in an institution of higher education who enters into an endorsement contract, <b>the amateur intercollegiate athlete shall, not later than 7 days</b> after entering into the endorsement contract, <b>provide to the institution of higher education a copy of the endorsement contract.</b></p> <p>(B) RECRUITED ATHLETES. — With respect to an amateur intercollegiate athlete who is or may be recruited to attend, but not yet enrolled in, an institution of higher education and who enters into an endorsement contract, the amateur intercollegiate athlete shall, <b>before signing letter of intent, provide to the institution of higher education a copy of all current and expired endorsement contracts entered into by the amateur intercollegiate athlete.</b>” Sec. 4(b)(4)(A)-(B)</p> <p>“(b) PURPOSES. — The purposes of the AIAC are as follows:</p>	<p>(2) PROHIBITIONS ON THE REGULATION OF REPRESENTATION. — <b>An institution of higher education or intercollegiate athletic association may not regulate the legal, financial, or agency representation of college athletes and prospective college athletes</b> with respect to the marketing of their names, images, likenesses, or athletic reputations, including the certification of such legal, financial, or agency representation.” Sec. 3(b)</p> <p>“SEC. 4. PROTECTIONS FOR AMATEUR INTERCOLLEGIATE ATHLETES.</p> <p>(a) REPRESENTATION CONTRACTS. — A national amateur athletic association or an institution of higher education <b>may not punish or prohibit the participation of an amateur intercollegiate athlete</b> in an amateur intercollegiate athletic event or amateur intercollegiate athletic competition <b>based on the amateur intercollegiate athlete having entered into an agency contract with an amateur athlete representative</b> who has been certified by the AIAC in accordance with section 8(b)(4).” Sec. 4(a)</p>	<p>(f) LIMITATION ON TRANSFER PENALTIES. —</p> <p>An amateur intercollegiate athletics association <b>shall allow an amateur intercollegiate athlete in any sport to transfer</b> from one institution of higher education to another not less than once <b>without losing or delaying eligibility</b> for intercollegiate athletics if—</p> <p>(1) <b>not less than 7 days before transferring</b>, the amateur intercollegiate athlete provides to his or her athletic director <b>notice of intent to transfer; and</b></p> <p>(2) the transfer <b>does not occur</b> during—</p> <p>(A) <b>the season</b> of the sport of the amateur intercollegiate athlete; or</p> <p>(B) <b>the 60-day period before the commencement of such season.</b>” Sec. 4(f)</p> <p>(d) PROFESSIONAL SPORTS DRAFTS.—A national amateur athletic association or an institution of higher education may not prohibit the participation of an amateur intercollegiate athlete in an amateur intercollegiate athletic event based on the amateur intercollegiate athlete having entered into a professional sports draft, if the amateur intercollegiate athlete—</p> <p>(1) does not receive compensation, directly or 19 indirectly, from—</p> <p>(A) a professional sports league;</p>	<p>“SEC. 5. EMPLOYMENT MATTERS.</p> <p>Notwithstanding any other provision of Federal or State law, <b>an amateur intercollegiate athlete shall not be considered an employee of an institution of higher education, a conference, or a national amateur athletic association</b> based on the amateur intercollegiate athlete’s participation in amateur intercollegiate athletic events or amateur intercollegiate athletic competitions.” Sec. 5</p> <p>“SEC. 6. TRANSPARENCY. (a) DISCLOSURES. — (1) IN GENERAL. — An institution of higher education shall make the <b>following legally binding disclosures to each amateur intercollegiate athlete before he or she commits</b> to enroll in or attend the institution of higher education:</p> <p>(A) <b>The amount and duration of grant-in aid the institution of higher education will provide</b> to the amateur intercollegiate athlete, relative to the most recent cost of attendance, <b>for each academic school year and each summer session.</b></p> <p>(B) <b>The amount and duration of grant-in aid the institution of higher education will provide</b> to assist the amateur intercollegiate athlete with undergraduate degree completion and graduate degree completion <b>following the expiration of the intercollegiate athletics eligibility</b> of the amateur intercollegiate athlete.</p> <p>(C) <b>The percentage of comprehensive medical coverage required, including any required coverage to participate in intercollegiate athletics or to enroll as a student, that will</b></p>

“Summary only. Not to be used as a complete statement of the text of the rules or laws or how they apply to each school.”



PROPOSED FEDERAL LEGISLATION (117<sup>th</sup> Congress)

FEDERAL BILL	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS	PROVISIONS RELATING TO EDUCATIONAL REQUIREMENTS, LABOR LAW, ANTI-DISCRIMINATION AND/OR OTHER AREAS
		<p>(7) To provide to amateur intercollegiate athletes a process for the swift resolution of conflicts concerning agency contracts and endorsement contracts, including by providing a neutral arbitrator for any case in which an amateur intercollegiate athlete is the complaining party.” Sec. 8(b)(7)</p>		<p>(B) a professional sports team; or</p> <p>(C) a sports agent;</p> <p>(D) an amateur athlete representative; or with</p> <p>(E) any individual or entity affiliated with an individual or entity described in any of subparagraphs (A) through (D); and</p> <p>(2) not later than 7 days after the completion of the draft, declares his or her intent to resume participation in amateur intercollegiate athletic competition.” Section 4(d)</p>	<p>be paid by the institution of higher education during the period of intercollegiate athletics eligibility of the amateur intercollegiate athlete.</p> <p>(D) The percentage of any out-of-pocket sports-related medical expenses including deductibles, copays, and coinsurance, that the institution of higher education will pay during the period of intercollegiate athletics eligibility of the amateur intercollegiate athlete, and the period for which such expenses will be covered after such eligibility expires. Differences between in-network and out-of-network expenses shall be stated.</p> <p>(E) Whether or not the institution of higher education will pay for a disability insurance policy to cover the maximum available future loss of earnings benefit based on market rates of similarly situated amateur intercollegiate athletes.” Sec. 6</p>
<p><a href="#">H.R.2841 - Student Athlete Level Playing Field Act</a></p> <p>This bill was introduced by and is being sponsored by Representative Anthony Gonzalez (R-OH) on April 26, 2021.</p>	<p>On April 26, 2021, the bill was referred to the Committee on Energy and Commerce, and in addition to the Committee on Education and Labor, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned.</p>	<p>“A student athlete may be prohibited by the institution of higher education of the student athlete from wearing any item of clothing or gear with the insignia of any entity during any athletic competition or athletic-related university-sponsored event.” Sec. 2(c)</p> <p>“Notice to Student Athlete: If you agree orally or in writing to be represented by an agent now or in the future, both you and the agent by whom you are agreeing to be represented must notify the athletic director of the educational institution at which you are enrolled, or other individual responsible for athletic programs at such educational institution, that you have entered into an agency contract. Such notification must be within 72 hours after entering into this contract or before the next athletic event in which you are eligible to participate, whichever occurs first.” Sec. 6(b)</p>	<p>“No State may enforce a State law or regulation with respect to permitting or abridging the ability of a student athlete attending an institution of higher education to enter into an endorsement contract or agency contract pursuant to this Act or by an amendment made by this Act.” Sec. 7</p>	<p>“In the case of an institution that has a student attending the institution who is an athlete and has entered into an endorsement contract (as defined under section 2 of the Sports Agent Responsibility and Trust Act (15 U.S.C. 7801)) or an agency contract (as defined in section 9 of the Student Athlete Level Playing Field Act), such institution will not prohibit such student from entering into such an endorsement contract or an agency contract, including through a rule, standard, or policy that affects the eligibility of such student to receive athletically related student aid (as defined in section 485(e) of the Higher Education Act of 1965 (20 U.S.C. 1092(e)))” Sec. 5</p>	<p>“NONDISCRIMINATION OF STUDENT ATHLETES.— Nothing in this Act or the amendments made by this Act may be construed to affect the rights of student athletes or affect any program funded under title IX of the Education Amendments of 1972 (20 U.S.C. 1681 et seq.)” Sec. 8(b)</p> <p>“STUDENT ATHLETE NOT CONSIDERED AN EMPLOYEE.— Nothing in this Act or the amendments made by this Act shall affect the employment status of a student athlete who enters into an endorsement contract with respect to a covered athletic organization or institution of higher education.” Se. 8(d)</p> <p>“Institutions of higher education and covered athletic organizations should develop a course or program to assist student athletes with understanding financial literacy with respect to entering into an endorsement contract” Sec. 9(1)</p>

## ATHLETIC ASSOCIATION RULES

ASSOCIATION	STATUS	DISCLOSURE AND CONFLICT OF INTEREST	INSTITUTIONAL AND AGENT INVOLVEMENT IN ATHLETE NIL BUSINESS	ELIGIBILITY IMPLICATIONS
<p>NCAA - Division 1  PROPOSAL</p>	<p>The NCAA D-1 Council approved the proposal on October 30, 2020. An official vote on these rules was set for January 2021 but has since been indefinitely delayed.</p>	<p>"Disclosure of Name, Image and Likeness Business Activities -- Prospective Student-Athletes. A prospective student-athlete who has received an offer of athletically related financial aid is required to report all name, image and likeness activities to an independent third-party administrator. Disclosure shall include details of relationships with other individuals or entities involved in the business activities (e.g., contact information for commercial entities, professional service providers, other involved parties, compensation arrangements with such individuals or entities)." 12.4.5.1.5 <i>*Important to note that these same disclosure requirements also apply to Promotional Activities for Prospective Students (12.5.3.2)*</i> "Disclosure of Name, Image and Likeness Business Activities – Student-Athletes. <b>A student-athlete shall disclose</b> information related to business activities that involve the use of his or her name, image or likeness, including details of relationships with other individuals or entities involved in the business activities (e.g., contact information for commercial entities, professional service providers, other involved parties, compensation arrangements with such individuals or entities). <b>The student-athlete shall provide such information in advance of any arrangements or agreement for the use of his or her name, image or likeness and shall provide updates to the information within 14 days if arrangements with involved individuals or entities change.</b>" 12.4.2.1.7 <i>*Important to note that disclosure of NIL promotional activities for student-athletes is to be made to a third-party administrator, not the athletic department. (12.5.3.3)*</i> "Conflicts With Institutional Agreements and Other Considerations. An institution may prohibit a student-athlete's involvement in name, image and likeness activities that conflict with existing institutional sponsorship arrangements. An institution, at its discretion, may prohibit a student-athlete's involvement in name, image and likeness activities based on other considerations, such as conflict with institutional values, as defined by the institution. An institution shall have policies that set forth the name, image and likeness activities in which student-athletes may or may not engage. An institution shall provide such policies to a prospective student-athlete by the point in which an offer of financial aid and/or admission is provided to the prospective student-athlete." 12.5.3.1.3</p>	<p>"Use of Professional Service Providers for Name, Image and Likeness Activities. Use of Professional Service Providers. An individual may use the services of a professional service provider in the following name, image and likeness activities: (a) Advice regarding name, image and likeness activities; (b) Representation in contract negotiations related to name, image and likeness activities; and (c) Marketing of the student-athlete's name, image and likeness activities. <u>Limitation on Marketing Athletics Ability or Reputation.</u> A professional service provider who represents an individual in name, image and likeness activities may not also represent a student-athlete for the purpose of marketing his or her athletics ability or reputation in a sport to secure an opportunity as professional athlete. <u>Institutional Employees or Independent Contractors.</u> A student-athlete is not permitted to use a professional service provider in name, image and likeness activities who is an employee or independent contractor of the institution. For purposes of this provision, an entity that contracts with an institution for the primary purpose of providing products but not services is not considered to be an independent contractor. <u>Fees and Payment Arrangements for Services.</u> A fee arrangement for professional services shall be consistent with typical industry arrangements must not be discounted as a result of athletics ability. Fees must be disclosed pursuant to a written agreement (e.g., flat fee, profit share, upfront guarantee) with the service provider. A student-athlete may receive the same de minimis benefits (e.g., meals, copies, mailing) from a professional service provider that nonstudent-athletes receive. <u>Institutional Involvement.</u> An institution may provide information and education related to name, image and likeness activities and may assist a student-athlete with evaluating professional service providers related to such activities. However, an institution may not identify or select a professional service provider or arrange for or provide payment for services rendered to the student-athlete." 12.5.4.1-2</p>	<p>"An individual <b>shall be ineligible</b> for participation in an intercollegiate sport if he or she ever has agreed (orally or in writing) to be represented by an agent for the purpose of marketing his or her athletics ability or reputation in that sport to <b>secure an opportunity as professional athlete</b>. Further, an agency contract not specifically limited in writing to a sport or particular sports shall be deemed applicable to all sports, and the individual shall be ineligible to participate in any sport." 12.3.1</p>
<p>NAIA  ADOPTED</p>	<p>NAIA has permitted student-athletes to be compensated for NIL since October 6, 2020.</p>	<p>"Student-Athlete's Failure to Report Name, Image, Likeness Compensation A student-athlete receiving compensation for the use of his or her name, image or likeness to promote a commercial product or enterprise, or public or media appearance <b>must report it in writing to his or her athletics director when such promotion includes reference to his or her status as a student-athlete or institution.</b> Failure to do so shall result in an institutional self-report, to be reviewed by the National Coordinating Committee. The committee is empowered to review such violations and apply penalties as necessary, including but not limited to a warning or reprimand to the student-athlete, withholding the student from future competitions, and/or determining the student has lost his or her amateur status." Art. VI § B(11)</p>	<p>"Staff members of all member institutions' athletics departments shall not accept compensation or gratuities of any kind (either directly or indirectly) for representing a professional sports organization or an athlete as an agent in the negotiation of a contract for any student. Staff members of all member institutions' athletics departments shall not accept compensation or gratuities of any kind (either directly or indirectly) in acting as scouts for a professional sports organization during the regular academic year of the staff members' institution." Art. I § X</p>	<p>"The following acts will NOT cause an athlete to lose amateur standing. 8. Receiving compensation for use of name, image or likeness to promote any commercial product or enterprise, or public or media appearance. It is the responsibility of the student-athlete to notify their institution's athletics director in writing of any compensation the student receives from the use of their name, image or likeness in relation to their school or status as a student-athlete." Art. VII § B(8)</p>

