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## Nationwide Name, Image, and Likeness ("NIL") Tracker:

A Compendium of College  
Sports NIL Laws in the U.S.

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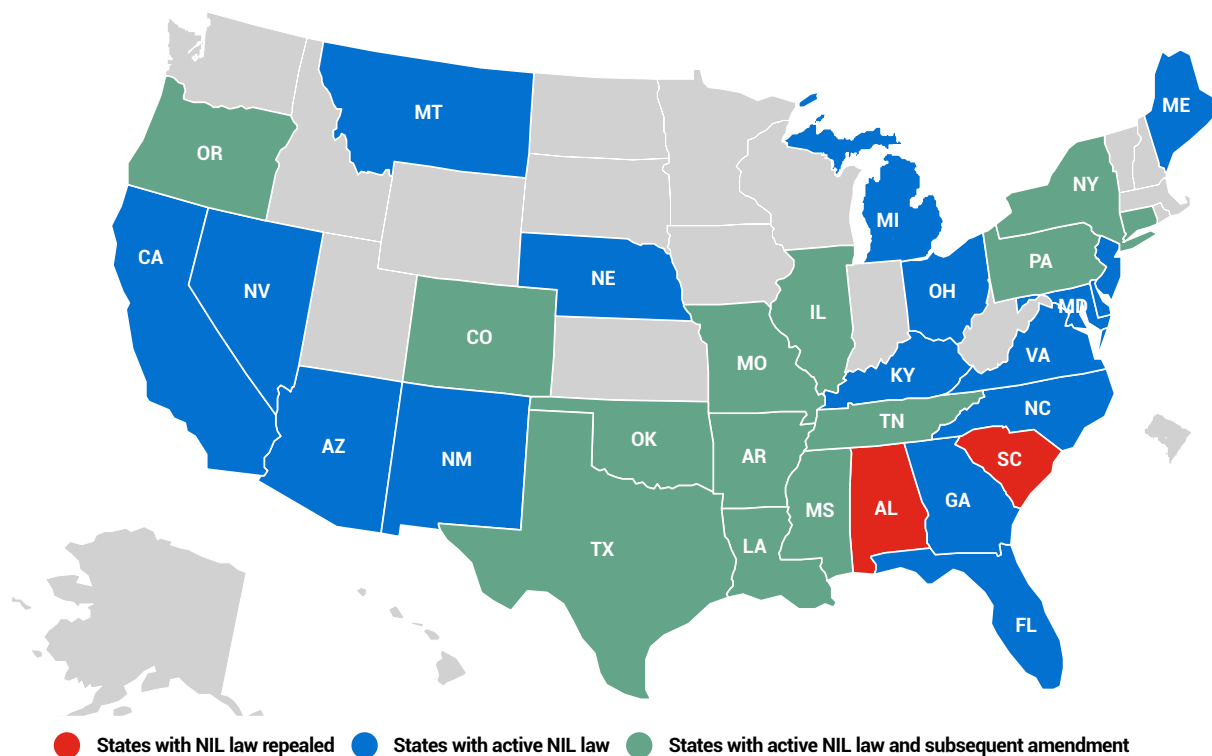
## Introduction

On behalf of Foley & Lardner's Sports & Entertainment Group, and its "NIL" Task Force, I am pleased to introduce our Nationwide Name, Image, and Likeness ("NIL") Tracker: A Compendium of College Sports NIL Laws in the U.S.

The economics of collegiate athletics is undergoing significant and dramatic change in the United States, spawned by a years-long legislative and jurisprudential push to free student-athletes from institutional restraints that prohibited them from receiving compensation or benefits beyond an educational scholarship. With multiple states passing laws that allow student-athletes to sell their individual NIL rights for compensation, and following the U.S. Supreme Court's decision in *NCAA v. Alston*, which effectively exposed NCAA restrictions on student-athlete compensation to legal scrutiny under federal antitrust laws, that push for change suddenly became reality. On June 30, 2021, under mounting pressure from student-athletes, fans, legislators and activists, all three divisions of the NCAA adopted policy measures that, for the first time, allowed college student-athletes to benefit financially from their NIL without fear of NCAA penalty.

With the floodgates open, reports of student-athletes signing NIL deals became regular news, as seemingly everyone began jumping into the uncharted, but now-flowing NIL waters. In standing down on NIL, however, the NCAA essentially stood back and let state NIL laws govern where they would, while establishing its own NIL rules only where they did not. As a consequence, the current NIL regulatory landscape is an irregular patchwork of state laws, which often differ from one another in substantive ways, creating limited uniformity from one state to the next.

The map below identifies those states that (i) have an active NIL law (blue), (ii) have an active NIL law that was subsequently amended (green), and (iii) had an NIL but repealed it (red). States in gray have no active NIL law and thus are subject to the NCAA Interim NIL Policy.



Behind this simple, two-dimensional map, the NIL regulatory landscape currently presents a complex — and potentially confounding — web of rules for interested and opportunistic stakeholders, which may include sponsors, colleges, athletic conferences, agents, and student-athletes. There are significant business, academic/athletic, and legal implications for those that do not tread carefully.

With these concerns in mind, Foley's NIL Task Force has created the **Tracker** – a one-stop compilation and summary of existing NIL rules organized by regulatory body (i.e., states and the NCAA) and subject matter, including product category limitations, financial literacy programming, agent/agency representation of student-athletes, reporting and disclosure requirements, and enforcement. The **Tracker** was created and designed as a tool to help all NIL stakeholders navigate through this nationwide regulatory labyrinth when making their business and legal decisions. The **Tracker**, which includes direct links to state and NCAA NIL laws and regulations, will be **updated regularly**, so be sure to check back for the latest developments.

As the new NIL reality continues to unfold in college sports across the country, **Foley's NIL Task Force** will be hard at work, advising clients on their emergent needs and objectives and producing timely and analytical articles on the latest developments.

I want to extend my gratitude to my colleagues in [Foley & Lardner's Sports & Entertainment Group](#) who helped create the **Tracker**, specifically, **Greg Marino** who managed the project, as well as the rest of team who contributed analysis and painstaking research, including **Max Atchity**, **Prince Oroke**, and **Cullen Werwie**, as well as to our design and marketing team, including **Sylvia Oberlin**, **Christine Abrego**, **Christina Wallace Cooper**, and **Amy O'Neill**. This was, and will continue to be, a team effort.

Thank you for your interest and support.

**Jon Israel**

Co-Chair, Foley's Sports & Entertainment Group

Law		
State	Bill Name ( <a href="#">LINK TO LAW</a> )	Effective Date
ALABAMA	<a href="#">HB 404</a> , repealed by <a href="#">HB 76</a>	Repealed 2/3/2022
ARIZONA	<a href="#">SB 1296</a>	7/23/2021
ARKANSAS	<a href="#">HB 1671</a> , amended by <a href="#">HB 1649</a>	HB 1671 effective 1/1/2022; HB 1649 amendment effective 4/14/2023
CALIFORNIA	<a href="#">SB 206</a>	9/1/2021
COLORADO	<a href="#">SB 20-123</a> , amended by <a href="#">SB 23-293</a>	SB 20-123 effective 7/1/2021, SB 23-293 amendment effective 6/6/2023
CONNECTICUT	<a href="#">HB 6402</a> , amended by <a href="#">SB 20</a>	HB 6402 effective 7/1/2021; SB 20 amendment effective 7/1/2022
DELAWARE	<a href="#">SB 297</a>	1/1/2023
FLORIDA	<a href="#">SB 646</a>	7/1/2021
GEORGIA	<a href="#">HB 617</a>	7/1/2021
ILLINOIS	<a href="#">SB 2338</a> amended by <a href="#">HB 1175</a>	SB 2338 effective 7/1/2021; HB 1175 amendment effective 5/20/2022
KENTUCKY	<a href="#">SB 6</a>	03/09/2022
LOUISIANA	<a href="#">SB 60</a> amended by <a href="#">SB 250</a>	SB 60 effective 7/1/2021; SB 250 amendment effective 6/10/2022
MAINE	<a href="#">LD 1893</a>	3/31/2022
MARYLAND	<a href="#">SB 439</a>	7/1/2023
MICHIGAN	<a href="#">HB 5217</a>	12/31/2022
MISSISSIPPI	<a href="#">SB 2313</a> , amended by <a href="#">SB 2690</a>	SB 2312 effective 7/1/2021; SB 2690 amendment effective 4/18/2022
MISSOURI	<a href="#">SB 718</a> , amended by <a href="#">HB 417</a>	HB 297 effective 8/28/2021; SB 718 effective 8/28/2022; HB 417 amendment effective 8/28/2023

Law		
State	Bill Name ( <a href="#">LINK TO LAW</a> )	Effective Date
MONTANA	<a href="#">SB 248</a>	6/1/2023
NEBRASKA	<a href="#">LB 962</a>	First of 7/1/2023 or college policy
NEVADA	<a href="#">AB 254</a>	1/1/2022
NEW JERSEY	<a href="#">S 971</a>	2024-25 academic year
NEW YORK	<a href="#">S5891F</a> , amended by <a href="#">A07107B</a>	S5891F effective 1/1/2023; A07107B amendment effective 6/30/2023
NEW MEXICO	<a href="#">SB 94</a>	7/1/2021
NORTH CAROLINA	<a href="#">Executive Order 223</a>	7/2/2021 (executive order that may be impacted by statute)
OHIO	<a href="#">Executive Order 2021-10D</a>	6/28/2021 (executive order that may be impacted by statute)
OKLAHOMA	<a href="#">SB 48</a> , amended by <a href="#">SB 840</a>	SB 48 effective 5/28/2021; SB 840 amendment effective 5/25/2023
OREGON	<a href="#">SB 5</a> , amended by <a href="#">SB 1505</a>	SB 5 effective 7/1/2021; SB 1505 amendment effective 7/1/2022
PENNSYLVANIA	<a href="#">SB 381</a> , amended by <a href="#">HB 2633</a>	SB 381 effective 6/30/2021; HB 2633 amendment effective 11/3/2022
SOUTH CAROLINA	<a href="#">S 685</a> , suspended by <a href="#">H 5150</a>	Suspended for 7/1/2022 to 7/1/2023
TENNESSEE	<a href="#">HB 1351</a> , amended by <a href="#">HB 2249</a>	HB 1351 effective 1/1/2022; HB 2249 amendment effective 4/20/2022
VIRGINIA	<a href="#">SB 223</a>	7/1/2022
TEXAS	<a href="#">SB 1385</a> , amended by <a href="#">HB 2804</a>	SB 1385 effective 7/1/2021; HB 2804 amendment effective 7/1/2023

## Student-Athlete Benefits

State	College Provided Education	Broad Grant of Right	Student-Athlete Representation
AL	Repealed 2/3/22 - College required to conduct financial literacy and life skills programming	Repealed 2/3/22 - Student-athlete participating in college sports may earn fair market value NIL compensation; college cannot unreasonably restrict student-athlete right to NIL compensation	Repealed 2/3/22 - Registered state agent or licensed attorney; agents must comply with the Sports Agent and Responsibility Trust Act
AZ	None required	Student-athlete participating in college sports may earn NIL compensation to the extent allowed by the NCAA	Must comply with Title 15, Chapter 13, Article 10 of Arizona Laws
AR	None required	Student-athlete shall have the right to earn NIL compensation	Must be a state licensed agent or attorney; may also be a financial advisor
CA	None required	College cannot uphold any rule that prevents student-athlete from earning NIL compensation	Must be a state licensed agent or attorney; agents must comply with the Sports Agent and Responsibility Trust Act
CO	None required	Student-athlete participating in college sports may earn NIL compensation and may not be compelled to forfeit the right to earn NIL compensation	None required
CT	None required	College, association or conference cannot prevent student-athlete from earning NIL compensation	Licensed agent or attorney
DE	None required	Student-athlete may hire an agent to negotiate or solicit a name, image, and likeness contract on his/her behalf	Certified state agent; agency contract must include a specific provision as outlined in SB 297
FL	College required to conduct financial literacy and life skills programming	College cannot adopt or maintain rules that prevent or unduly restrict student-athlete from earning NIL compensation	Licensed state athlete agent or attorney in good standing with Florida Bar
GA	College required to conduct financial literacy and life skills programming	Student-athlete participating in college sports may earn fair market value NIL compensation	Certified state agent or licensed attorney; agents must comply with the federal Sports Agent and Responsibility Trust Act
IL	Colleges are encouraged to provide financial literacy, brand management, and life skills programming for student-athletes.	Student-athlete participating in college sports may earn fair market value NIL compensation; college cannot adopt rules that prevent student-athlete from earning NIL compensation	Certified state agent or licensed attorney
KY	Colleges required to conduct financial literacy and life skills education workshop	A student athlete may receive compensation for the use of the athlete's name, image, or likeness through a name, image, and likeness agreement with a third party. Such compensation shall be consistent with prevailing market rate of the authorized use of the athlete's name, image, or likeness.	Athlete agents are permitted but not required. Student athletes who are minors may have a parent/guardian enter them into NIL agreements
LA	College required to conduct financial literacy and life skills programming	Student-athlete participating in college sports may earn fair market value NIL compensation; college cannot unreasonably restrict student-athlete right to NIL compensation	Registered state agent or licensed attorney; agents must comply with the federal Sports Agent and Responsibility Trust Act
ME	None required	College cannot prohibit a student-athlete from earning NIL compensation	College may not prohibit a student-athlete from obtaining professional representation for NIL matters
MD	None required	A public college cannot uphold any rule that prevents a student-athlete from earning NIL compensation	None required
MI	None required	College cannot uphold any rule that prevents a student-athlete from participating in college sports based on student-athlete's earning NIL compensation	Licensed financial advisor, licensed athlete agent, or licensed attorney
MS	None required	Student-athlete participating in college sports may earn fair market value NIL compensation	Registered state agent or licensed attorney; agents must comply with the Sports Agent and Responsibility Trust Act; agency contract must include a specific provision as outlined in SB 2312
MO	College required to conduct financial development program, which must cover financial literacy, life skills, time management, and entrepreneurship. Workshops cannot be offered in the same month and each workshop offered in a calendar year must be unique. Student-athletes shall be notified of workshops through a series of distribution materials. Education workshops shall not include any marketing, advertising, referral, or solicitation of financial products or services.	College cannot uphold any rule that prevents a student-athlete from earning NIL compensation; student-athlete compensation shall not be conditioned on a student-athletes athletic performance, but college has the right to condition payment of NIL compensation on a student-athlete's attendance. Notwithstanding any college rule, student-athletes shall have the right to receive compensation from an institutional marketing associate for the commercial use of their NIL in connection with the promotion of athletic events, the promotion of the student-athlete's college, and the promotion of the college's athletic or sports program.	Licensed state agent or attorney
MT	None required	College cannot prevent student-athlete from earning NIL compensation	Professional representative or agent; college can serve as a student-athlete agent

## Student-Athlete Benefits

State	College Provided Education	Broad Grant of Right	Student-Athlete Representation
NE	None required	Neither college nor athletic association can uphold any rule that prevents a student-athlete earning NIL compensation	State licensed agent, financial advisor, or attorney
NV	Colleges may require financial literacy (or other) courses	College cannot uphold any rule of its own, or of a national collegiate athletic association that prevents a student-athlete from earning NIL compensation	State registered agent
NJ	None required	College cannot uphold any rule that prevents a student-athlete from earning NIL compensation	Licensed state agent or attorney; agents must comply with the Sports Agent and Responsibility Trust Act
NY	College required to provide financial literacy training, degree completion assistance program, training regarding sex-based discrimination and harassment, leadership training, and a career development program	College may not prevent a student athlete from earning compensation pursuant to this section as a result of the use of the student-athlete's name, image or likeness	Certified state agent or licensed attorney
NM	None required	College cannot uphold any rule that prevents a student-athlete from earning NIL compensation	An individual or entity that has represented the college in the past 4 years may not represented a student-athlete attending that college
NC	Colleges encouraged to offer financial literacy programs to student-athletes	Student-athletes are allowed to earn NIL compensation while enrolled in college	Licensed state agent must comply with North Carolina Athlete Agent Act and Sports Agent Responsibility and Trust Act
OH	None required	College cannot uphold any rule that prevents a student-athlete from earning NIL compensation	Licensed state agent must comply with the Sports Agent Responsibility and Trust Act
OK	College may require student-athlete to take courses in contracts, financial literacy, or any other subject the college deems necessary to prepare a student-athlete to engage in NIL activities	A current or prospective student-athlete may earn compensation to the extent allowed by a collegiate athletic association. A collegiate athletic association shall not: (1) prevent a student-athlete from earning NIL compensation; or (2) allow a student-athletes NIL compensation to impact eligibility for any athletic grant-in-aid (college may use NIL compensation to determine student-athlete eligibility for need-based aid).	Any professional representation shall be in writing, executed by both parties, clearly describe the obligations of the parties, and outline fees for the professional representation. A collegiate athletic associate shall not authorize its member institutions to penalize a student-athlete or prevent a student-athlete from full participation in a college sport because the student-athlete obtains professional representation or receives assistance with NIL services.
OR	None required	College cannot prevent or restrict student-athlete from earning NIL compensation	Agent cannot have represented colleges in the preceding 4 years; numerous agency contract requirements; agent cannot be employee or student of college
PA	None required	Neither college nor intercollegiate athletic entity can uphold any rule that prevents a student-athlete from earning NIL compensation	Registered state agent, financial advisor or attorney
SC	Suspended 7/1/22-7/1/23 - None required	Suspended 7/1/22-7/1/23 - Student-athlete may earn NIL compensation; college cannot unreasonably restrict student-athlete right to NIL compensation (notwithstanding athletic conference/association rules to the contrary)	Suspended 7/1/22-7/1/23 - Registered state agent
TN	College must offer a financial literacy workshop	Student-athlete may earn fair market value NIL compensation; college cannot unreasonably restrict student-athlete right to NIL compensation (notwithstanding athletic conference/association rules to the contrary)	Licensed state agent or attorney
VA	Colleges required to conduct financial literacy and life skills education workshop	No institution, athletic association, or conference shall prohibit or prevent a student athlete from earning compensation for the use of his name, image, and likeness, or obtaining professional representation by an athlete agent or attorney.	Athlete agents and attorneys are permitted but not required
TX	Student-athletes are required to participate in at least 5 hours of financial literacy and life skills programming their first academic year.	Student-athlete may earn NIL compensation; college cannot unreasonably restrict student-athlete right to NIL compensation (notwithstanding athletic conference/association rules to the contrary)	Student or Representative must resolve conflicts within 10 days of disclosing to college

## Student-Athlete Restrictions

State	Mandatory Prohibitions on Promotions	Discretionary Prohibitions on Promotions
AL	Repealed 2/3/22 - Student-athlete may not enter into a contract that: (1) conflicts with a contract of the college; or (2) uses college IP without prior written approval	Repealed 2/3/22 - College may prohibit student-athlete from: (1) entering into an endorsement agreement for the following: tobacco; alcohol; adult entertainment; gambling; "any entity that negatively impacts or reflects adversely" on the college (based on the college's good faith judgment); (2) wearing endorsement apparel during team activities
AZ	Student-athlete may not enter into a contract that: (1) conflicts with a contract of the college; or (2) violates the intellectual property rights of the college	None specified
AR	Student-athlete may not enter into a contract that: (1) conflicts with a contract of the student-athletes committed or enrolled college; or (2) is for an endorsement of tobacco, drugs (including pharmaceuticals), weapons, adult entertainment, alcohol, or gambling products; or (3) violates the intellectual property rights of the committed or enrolled college	None specified
CA	Student-athlete may not enter into a contract that conflicts with a contract of the college; but college cannot restrict a student-athlete from earning compensation when not engaged in team activities	None specified
CO	Student-athlete may not enter into a contract that conflicts with a team contract of the college for which the athlete competes; but college cannot restrict a student-athlete from earning compensation when not engaged in team activities	College may adopt rules that prevent a student-athlete from earning NIL compensation only if such rules are required by the an athletic association to which the college is a member.
CT	College must make policies that, in some way, prohibit student-athletes from entering into an endorsement agreement for any of the following: (1) contracts that conflict with a contract of the college; (2) contracts that interfere with team activities; and (3) contracts with companies or brands that the college prohibits by policy. The provision prohibiting student-athletes from using college intellectual property in NIL deals was removed by the SB 20 amendment.	College may permit student athletes to use their college IP for NIL deals, but may also adopt a policy prohibiting use of their IP in deals
DE	None specified	None specified
FL	Student-athlete may not enter into a contract that conflicts with a contract of the college; student-athlete NIL compensation must be commensurate with fair market value	None specified
GA	Student-athlete may not enter into a contract that conflicts with a contract of the college; student-athlete NIL compensation must be commensurate with fair market value; but college cannot restrict a student-athlete from earning compensation when not engaged in team activities	None specified
IL	Student-athlete may not enter into a contract that: (1) conflicts with a contract of the college; or (2) is an endorsement of gambling, drugs, tobacco (or nicotine product), alcohol, adult entertainment or any other product or service that is reasonably considered to be inconsistent with the values or mission of the college or negatively impacts or reflects adversely on the college	College may: (1) impose reasonable limitations on dates and times that a student-athlete may participate in endorsements; (2) prohibit student-athlete from entering into endorsement agreement using college's intellectual property; or (3) prohibit student-athlete from endorsing during team activities
KY	A student athlete shall not enter into a NIL agreement to receive compensation from a third party relating to the endorsement or promotion of: (1) sports betting; (2) a controlled substance; (3) a substance the student athlete's intercollegiate athletic association forbids the athlete from using; (4) adult entertainment; (5) products or services that would be illegal for the student athlete to possess or receive; or (6) college's intellectual property	Colleges may adopt reasonable restrictions on NIL agreements. Such reasonable restrictions may include: (i) prohibiting NIL agreements for products or services that conflict with the mission of the institution; (ii) forbidding use of an institution's intellectual property; (iii) prohibiting NIL agreements that cause the athlete to miss an official team activity.
LA	Student-athlete may not enter into a contract that: (1) conflicts with a contract of the college; (2) is an endorsement of alcohol, tobacco, drugs, gambling, or illegal/banned activities or substances; or (3) uses college IP	College may prohibit student-athlete from entering into an endorsement agreement that conflicts with the college values as defined by the college
ME	None specified	None specified
MD	Student-athlete may not enter into a contract that conflicts with a contract of the college, but the college may not restrict a student-athlete from earning compensation when not engaged in team activities	College may prohibit student-athlete from endorsing during team activities
MI	Student-athlete may not enter into an apparel contract that conflicts with a contract of the college, but the college may not restrict a student-athlete from earning compensation when not engaged in team activities	College may prohibit student-athlete from entering a contract that: (1) conflicts with a contract of the college; or (2) uses college IP
MS	Student-athlete may not enter into a contract that: (1) conflicts with a contract of the college; (2) is an endorsement of gambling, sports betting, controlled substances, marijuana, tobacco (including nicotine), alcohol, PEDs, adult entertainment; (3) is a contract for anything inconsistent with the values of the college; student-athlete compensation must be commensurate with fair market value; or (4) uses college IP	College may: (1) impose reasonable restrictions on dates and times that a student-athlete may participate in endorsements; (2) prohibit student-athlete from entering into endorsement agreement using college's intellectual property; or (3) prohibit student-athlete from endorsing during team activities
MO	Student-athlete may not enter into an apparel, equipment or beverage NIL contract that conflicts with a contract of the college if it requires the student-athlete to endorse during official team activities; student-athlete may enter a contract that conflicts with a contract of the college only with the prior written consent of the college; but the college may not restrict a student-athlete from earning compensation when not engaged in team activities	A college or third party shall develop and adopt a process for granting to a student-athlete a license to use a college's or third party's unique identifiers when earning or attempting to earn NIL compensation. A college or third party may charge a reasonable fee for a license to use a unique identifier under this subdivision. A college or third party may impose requirements that a student-athlete granted a license under this subdivision refrain from using such unique identifier in a manner the college determines is: (1) reasonably considered to be inconsistent with the college's or third-party's values or mission; (2) adversely affects the college's or third party's image; (3) negatively impacts or inappropriately reflects upon the reputation or religious, moral, or ethical standards of such college or third party; (4) violates the college's or third party's code of conduct; or (5) conflicts with a provision of the college's or third party's current licenses or contracts.

## Student-Athlete Restrictions

State	Mandatory Prohibitions on Promotions	Discretionary Prohibitions on Promotions
MT	Student-athlete may not enter into a contract that conflicts with a contract of the college or team rules, or if the contract requires student-athlete to endorse during official team activities; but the college may not restrict a student-athlete from earning compensation when not engaged in team activities	College may include provisions in scholarship agreement that allows college to use student-athlete NIL; college may prohibit student-athlete from entering a contract that: (1) uses college IP or (2) requires student-athlete to endorse during team activities or on college property
NE	Student-athlete may not enter into a contract that conflicts with a contract of the college, or if the contract requires student-athlete to endorse during team activities; but college cannot restrict student-athlete endorsement outside of official team activities	None specified
NV	Student-athlete may not enter into a contract that conflicts with college contract; or where the goods, services, or mission of the third party are contrary to the mission of the college	College may: (1) prohibit student-athlete endorsement if the use of the NIL is related to official activities or the institution; (2) adopt reasonable restrictions on student-athlete endorsements with organization or person "contrary to the mission" of the college
NJ	Student-athlete may not enter into a contract: (1) that conflicts with college contract and requires student-athlete to endorse during team activities; or (2) with companies involved in adult entertainment, alcohol, gambling, tobacco and smoking devices, drugs (including pharmaceuticals), or weapons; but college cannot restrict student-athlete endorsement outside of official team activities	None specified
NY	Student-athlete may not enter into a contract that: (1) requires the student to violate the institutions student handbook or code of conduct; (2) conflicts with an existing contract or sponsorship the institution participates in; (3) would cause financial or reputational damage to the institution; (4) would require actions by the player during team activities or classes; (5) would use the institution's brand, copy written materials, trademarks, service marks, symbols, nicknames, trade dress, insignia, mascot, uniform styles, colors, imagery, campus landmarks, or any other intellectual property or indicia; (6) would require the student-athlete to display a sponsor's product, logo, brand, or other indicia, or otherwise advertise for a sponsor, during official team activities; or (7) would require the student to display a sponsor's product, logo, brand, or other indicia, or otherwise advertise for a sponsor, during official team activities or any other time, and such sponsor is a competitor of, or offers products or services within the same category as a sponsor of the college.	None specified
NM	(1) Student-athlete may not enter into a contract that requires student-athlete to endorse during official team activities without the approval of the college; (2) college may not may not prevent athlete from wearing his or her choice of footwear during mandatory team activities as long as it doesn't impose a health risk	None specified
NC	None specified	College may: (1) prohibit student-athlete endorsement that conflicts with college contract or entities owned by college; (2) adopt reasonable restrictions on student-athlete endorsement with product or brand antithetical to values of institution; (3) limit student-athlete endorsement that requires endorsement during official team activities or college-sponsored events; (4) require student-athlete endorsement to be commensurate with fair market value; (5) limit student-athlete endorsement as it pertains to college IP, facilities, equipment or college-provided "gear"
OH	Student-athlete may not enter into a contract that: (1) conflicts with a contract of the college; or (2) requires student-athlete to endorse during official team activities	College may prohibit student-athlete endorsing companies involved in controlled substances, marijuana, alcohol, tobacco or nicotine, pornography, gambling, or similar businesses.
OK	Student-athlete shall not use a college mark for the purpose of securing NIL compensation unless preauthorized. Student-athlete shall not enter a contract that: (1) conflicts with a contract or policy of the college; or (2) negatively impacts or reflects adversely on the college.	A college may adopt reasonable time, place, and manner restrictions to prevent NIL activities from interfering with team activities, college operations, or the use of college facilities.
OR	Student-athlete may not enter into a contract that conflicts with a contract of the college; but college cannot prevent student-athlete from earning compensation (even conflicting contracts) when not engaged in official team activities	None specified
PA	Student-athlete may not enter into a contract with companies involved in adult entertainment, alcohol, gambling, tobacco and smoking devices, drugs (including pharmaceuticals)	College may prohibit student-athlete endorsement that: (1) conflicts with a contract of the college; or (2) "institutional values" as defined by the college; or (3) uses college IP
SC	Suspended 7/1/22-7/1/23 - Student-athlete may not: (1) enter into a contract with companies involved in tobacco, alcohol, drugs, banned athletic substances, or gambling; or (2) use college's facilities, uniforms or IP in connection with student-athlete endorsement	Suspended 7/1/22-7/1/23 - College may prohibit student-athlete endorsement that: (1) conflicts with contract of the college; or (2) "institutional values" as defined by the college
TN	Student-athlete may not enter into a contract with companies involved in gambling, tobacco, alcohol, and adult entertainment	College may: (1) prohibit student-athlete endorsement that conflicts with the "values" of the institution; (2) prohibit endorsements that would make use of its IP; and (3) adopt reasonable "time, place, and manner" restrictions to limit endorsements interfering with team activities, college facilities, operations, etc.
VA	A student athlete shall earn compensation for the use of his or her NIL in connection with: (i) alcoholic beverages; (ii) adult entertainment; (iii) cannabis; (iv) controlled substances; (v) performance enhancing drugs; (vi) drug paraphernalia; (vii) tobacco products; (viii) weapons; or (ix) casinos or gambling.	Colleges may prohibit a student athlete from earning NIL compensation during an academic or team activity or if the proposed use conflicts with an existing institutional agreement
TX	Student-athletes may not enter into a contract that: (1) conflicts with a contract of the college, a policy of the athletic department, or the college's honor code; (2) stipulates NIL compensation is provided in exchange for athletic performance or accepting and offer of admission; (3) stipulates NIL compensation is provided in exchange for an act that occurs while the student-athlete is engaged in official team activity; (4) relates to alcohol, tobacco, anabolic steroids, gambling, firearms (if cannot be legally purchased by the student), or sexually orientated business; or (5) extends beyond student-athlete's participation in college sports (college cannot restrict student-athlete endorsement outside of official team activities.)	None specified

## Contracting Process

State	Required Disclosure to College	School/Booster Involvement
AL	Repealed 2/3/22 - Endorsement disclosure required prior to execution; representation agreements disclosure required 7 days prior to entering into agreement	Repealed 2/3/22 - College or affiliate may not compensate student-athlete or student-athlete's family
AZ	None required	Allows a student-athlete to be compensated "to the extent allowed" by the NCAA
AR	Endorsement and representation agreement disclosure required; timing of disclosure is determined by the college	College, its supporting foundations, or its authorized entities may identify, create, facilitate, and otherwise enable opportunities for a student-athlete to earn compensation. A 501(c)(3) charitable organization shall have the right to compensate a student-athlete
CA	Endorsement disclosure required; timing of disclosure is determined by the college	College may not compensate prospective student-athletes
CO	Endorsement disclosure required within 72 hours of a student-athlete entering into a NIL contract, or before the student-athletes next scheduled competition (whichever comes first)	College or athletic association may not compensate prospective student-athletes. College may identify, create, solicit, facilitate, and otherwise enable opportunities for a student-athlete to earn NIL compensation (college must first acquire student-athlete consent). A college that solicits a NIL opportunity for a student-athlete shall inform the student-athlete of the solicitation within 72 hours. A 501(c)(3) charitable organization shall have the right to compensate a student-athlete.
CT	Disclosure required for both endorsement and representation agreements; timing and manner determined by the college	College not required to compensate a current or prospective student-athlete, but no specific prohibition.
DE	A student athlete must disclose an agency contract to his or her athletic director within 72 hours after signing; the statute is silent on mandatory disclosure of NIL deals	None specified
FL	Endorsement disclosure required; timing of disclosure is determined by the college	College or entity supporting college may not compensate a current or prospective student-athlete
GA	Endorsement disclosure required; timing and manner of disclosure is determined by the college	College or booster of college may not compensate a current or prospective student-athlete
IL	Endorsement and representation disclosure required; timing of endorsement and representation disclosure is determined by the college. HB 1175 amendment eliminated the requirement that student-athletes disclose NIL deals within 7 days	College may not provide compensation directly to a prospective or current student-athlete. College <i>may</i> arrange opportunities for prospective or current student-athletes with third parties. HB 1175 amendment eliminated language that prohibited colleges from directly or indirectly arranging for third parties to provide compensation or enter into agreements with student-athletes
KY	Endorsement disclosure required prior to execution; university must review within 3 business days.	A person or entity, regardless of residence, must not give, promise, or direct compensation with the purpose of recruiting or inducing the athlete to enroll at any Kentucky or other postsecondary educational institution
LA	Endorsement disclosure required; timing of disclosure is determined by the college. Any documents disclosed by the student-athlete that reference the terms and conditions of the endorsement are confidential	College may not provide compensation directly to a prospective or current student-athlete. SB 250 amendment eliminated language that prohibited boosters and entities supporting colleges from directly or indirectly compensating student-athletes
ME	None required	None specified
MD	Endorsement disclosure required; timing of disclosure is determined by the college	College may not compensate a prospective student-athlete
MI	Endorsement disclosure required 7 days prior to execution	College may not compensate a prospective student-athlete
MS	Endorsement disclosure required prior to execution; representation agreement disclosure required 7 days prior to execution	College may not provide compensation directly to a prospective or current student-athlete. College <i>may</i> arrange opportunities for prospective or current student-athletes with third parties. SB 2690 amendment eliminated language that prohibited colleges from directly or indirectly arranging for third parties to provide compensation or enter into agreements with student-athletes.
MO	Endorsement, athletic reputation, or professional representation disclosure required before execution.	College may not provide compensation directly to a prospective or current student-athlete unless otherwise permitted by institutional policy and a collegiate athletics association that the college is a member of. A college or any officer, director, or employee of such institution shall have the right to identify, create, facilitate, negotiate, support, enable, or otherwise assist with opportunities for a student athlete to earn compensation for a third party, including an institutional marketing associate, for the use of the student-athlete's NIL rights, or athletic reputation provided that the college does not (1) receive compensation for facilitation of such opportunities or (2) attempt to reduce such athlete's opportunities from competing third parties. A 501(c)(3) charitable organization shall have the right to compensate a student-athlete.

## Contracting Process

State	Required Disclosure to College	School/Booster Involvement
MT	Endorsement disclosure required, timing of disclosure is determined by the college	College may not compensate a current or prospective student-athlete
NE	Endorsement disclosure required; timing not specified	None specified
NV	Endorsement disclosure required; timing not specified	College may not compensate a current or prospective student-athlete
NJ	Endorsement disclosure required; timing of disclosure is determined by the college	College or entity supporting the college may not compensate a current or prospective student-athlete
NY	A student-athlete who enters into a contract providing compensation to the athlete for use of the athlete's name, image, or likeness shall disclose the contract in advance of executing it to an official of the college, to be designated by the college	A college athletic association, conference, or other group or organization with authority over intercollegiate athletics shall not provide a prospective student-athlete with compensation in relation to the athlete's NIL. The NCAA shall not prevent a college from identifying, facilitating, enabling, or supporting opportunities for a student-athlete to earn compensation for the student-athletes NIL.
NM	None required	College shall not induce a prospective athlete to attend college with compensation
NC	None required	College may not compensate student-athlete; prospective athlete may not enter into an agreement as inducement to attend
OH	Endorsement disclosure is required before contract is executed	College may not compensate prospective student-athlete
OK	Student-athlete must disclose before 72 hours post-contract endorsement execution; Agent must disclose agent contract before 72 hours post-contract execution	College may not compensate a prospective student-athlete. A college athletic association shall not prohibit a college from identifying, facilitating, enabling, or supporting opportunities for a student-athlete to earn NIL compensation. A college athletic association shall not prohibit college from establishing agreements with a third-party entity to act on its behalf to identify, facilitate, enable, or support student-athlete NIL activities.
OR	Endorsement disclosure required ; timing of disclosure is determined by the college	College may not compensate a current or prospective student-athlete
PA	HB 2633 eliminated the requirement that student-athletes share their NIL contract with the school at least seven days prior to execution	HB 2633 removed the provision prohibiting colleges from arranging NIL deals for their student-athletes
SC	Suspended 7/1/22-7/1/23 - Athlete must disclose endorsement prior to execution	Suspended 7/1/22-7/1/23 - College may not compensate a current or prospective student-athlete
TN	Required and annual reports	College may not provide compensation directly to a prospective or current student-athlete. College <i>may</i> arrange opportunities for prospective or current student-athletes with third parties. HB 2249 amendment eliminated language that prohibited colleges and boosters from directly or indirectly arranging for third parties to provide compensation or enter into agreements with student-athletes
VA	Endorsement disclosure required prior to execution.	
TX	Required prior to execution	A third-party entity acting on the institution's behalf, or an employee of the institution may identify, create, facilitate, or otherwise assist with opportunities for an enrolled student-athlete to earn NIL compensation. While assisting a student-athlete, a third-party entity may not: (1) act as an agent for the student-athlete; (2) be compensated by the student-athlete or separate third-party entity for aiding in NIL activities; (3) influence the student-athlete's choice of professional representation; or (4) diminish the student-athlete's opportunities from competing third parties. A 501(c)(3) charitable organization shall have the right to compensate a student-athlete for the use of the student-athletes NIL.

Miscellaneous		
State	Enforcement	Other
AL	Repealed 2/3/22 - ACAC and appropriate law enforcement	Establishes Alabama Collegiate Athletics Commission (ACAC) to further develop regulatory framework; College required to produce reports for alleged law violations; reports go to the ACAC; NIL contracts cannot extend beyond student-athlete's participation in the sport at the college
AZ	None specified	
AR	College, its supporting foundations, or its authorized entities, third-party licensees, and student-athletes shall have civil remedies against agents and contracting entities if college or the student-athlete is adversely affected by someone violating the law	Student-athletes may rescind NIL contracts without breach where student-athlete is no longer eligible to participate in varsity athletics; college shall not be liable for any damages related to a student-athlete's ability or inability to earn NIL compensation
CA	None specified	Establishes working group to formulate community college NIL rules, but law does not currently apply to community college student-athletes
CO	Student-athletes have civil remedies (injunction) against colleges or athletic association	Colleges may host athlete agent interviews in a time and manner determined by the college
CT	None specified	Board of Trustees of UConn and Board of Regents for Higher Education each have to submit report on the fiscal impact of NIL policies on the public institutions of higher education governed by the boards by 1/1/2023
DE	None specified	This legislation predominantly focuses on athlete agents rather than NIL
FL	The Board of Governors and the State Board of Education shall adopt regulations and rules to enforce and implement the law	This legislation predominantly focuses on athlete agents rather than NIL
GA	None specified	College team contracts may include pooling arrangements where up to 75% of Student-Athlete NIL revenue can be pooled and distributed among eligible student-athletes at least 12 months from graduation or withdrawal
IL	None specified	
KY	Colleges may enforce their own policies and impose disciplinary actions	
LA	None specified	College's management board must adopt policies to implement law
ME	None specified	A student-athlete may not be considered an employee of the college that the student-athlete attends, based on the student-athlete's participation in a intercollegiate athletics program
MD	None specified	Only applies to colleges in the System of Maryland and Morgan State college; requires college to adopt and implement various health and safety protections for student-athletes
MI	None specified	
MS	None specified	Explicitly excludes prospective student athletes receiving NIL compensation prior to college enrollment
MO	Student-athletes have civil remedies against third parties	Student-athletes have civil remedies against third parties. If a private college collects, retains, or maintains the terms of a student-athletes contract or proposed NIL contract dealing such contract terms shall be governed by the Family Education Rights and Privacy Act (FERPA). Any other organization with authority over varsity intercollegiate athletics shall not: (1) Prevent a student athlete from receiving compensation for the commercial use of the student athlete's NIL, or athletic reputation under this section; (2) penalize a student athlete for receiving compensation for the commercial use of the student athlete's NIL, or athletic reputation; (3) prevent a college from participating in varsity intercollegiate athletics or otherwise penalize a college as a result of a student athlete's receipt of compensation for the student athlete's NIL, or athletic reputation; (4) prevent a college from establishing agreements with a third party entity to act on its behalf to identify, facilitate, enable, or support student athlete NIL activities; (5) entertain a complaint, open an investigation, or take any other adverse action against a postsecondary educational institution or any of its employees for engaging in any activity protected under this section; (6) penalize a college because an institutional marketing associate compensates a student athlete for use of his or her NIL, or athletic reputation, or if a third party violates the collegiate athletic association's rules or regulations with regard to student athlete NIL activities. No college employee shall be liable for any damages to a student-athletes ability to earn NIL compensation.

Miscellaneous		
State	Enforcement	Other
MT	None specified	School may: (1) include provisions in scholarships to allow school to use student- athlete's NIL; (2) prohibit use of a student-athlete's NIL on campus, at school functions, or in material distributed on campus
NE	Student-athlete may bring civil action against the school or NCAA for violation of the bill; School may bring civil action against NCAA if NCAA attempts to penalize school for complying with bill	
NV	None specified	Prospective student-athlete must disclose any previous or existing NIL contracts to college before signing a letter of intent
NJ	None specified	College team contracts shall allow college, athletic conference and NCAA to use student-athlete NIL without additional compensation to student-athlete.
NY	None specified	An athletic association, conference, or other group or organization with authority over intercollegiate athletics, including, but not limited to the NCAA, shall not: (i) prevent a college from participation in intercollegiate athletics because a student-athlete in attendance has previously earned or intends to earn compensation for the use of his or her NIL; (ii) entertain a complaint, open an investigation, or take any other adverse action against a college for engaging in any activity protected in this section or for involvement in a student-athlete's NIL; or (iii) penalize or prevent a college from participation in intercollegiate athletics because an individual or entity whose purpose includes supporting or benefitting the college or its athletic programs or student-athletes violates the collegiate athletic association's rules or regulations with regard to a student-athletes NIL.
NM	None specified	Student-athletes may also receive food, shelter, or medical expenses/insurance from third parties; athletic association, college or athletic conference cannot prohibit participation of student-athlete based on NIL compensation earned before enrollment
NC	None specified	
OH	College may create reasonable policies to address the student-athlete's failure to provide the disclosure required or follow the order, generally	Where college identifies a conflict between proposed student-athlete contract and existing college contract; college will allow student-athlete to negotiate a revision of contract, subject to college's ultimate review
OK	Criminal penalties for student-athletes (\$10,000-\$250,000 fine, up to 1 year prison) and agents (\$50,000-\$500,000 fine, up to 3 years prison ); civil remedies available to both student-athletes and colleges	A college may receive compensation for the use of its marks or facilities in conjunction with a student-athletes NIL activities; college shall not be liable for any damages to a student-athlete's ability to earn NIL compensation
OR	None specified	Student-athlete must receive royalties from any person who produces a jersey, video game, or trading card for the purpose of making a profit based off NIL
PA	Civil remedies are available to student-athletes	Royalty payments must be made to student-athletes where a party produces team jerseys, trading cards or video games with student-athlete identifiable features
SC	Suspended 7/1/22-7/1/23 - None specified	Suspended 7/1/22-7/1/23 - Contract voided if student-athlete is convicted of state felony; student-athlete must be in good academic standing to receive compensation
TN	None specified	
VA	Any student-athlete who is aggrieved by any action of an institution or agent thereof, athletic association, athletic conference, or other organization with authority over intercollegiate athletics in violation of any provision of this section may bring an action for injunctive relief.	
TX	None specified	Student-athletes may earn compensation for selling autographs. Student-athletes may not use a college facility, uniform, registered trademark, copyright-protected product, official logo, mark, or other indicia in connection with a NIL contract unless the student-athlete obtains the college's express permission. School/Booster involvement shall not be construed as creating a cause of action against an institution or an institution's officers or employees relating to a student-athletes NIL.

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