

1 **Uniform College Athlete Name, Image or Likeness Act**

2 **Amendments**

3 **July 12, 2021**

4 **Section 2. Definitions**

5 In this [act]:

6 \* \* \*

7 (2) “College athlete” means an individual who attends or is eligible to attend an  
8 institution and engages in or is eligible to engage in an intercollegiate sport. The term does not  
9 include an individual in school from kindergarten to grade 12 participating in a sport in grades  
10 kindergarten through grade 12 or at a youth, preparatory school, recreation, or similar level, or an  
11 individual permanently ineligible to participate in a particular intercollegiate sport for that sport.

12 \* \* \*

13 (8) “Name, image, or likeness” includes ~~the college athlete’s nickname, signature,~~  
14 ~~social media account, and any other symbol, word, name, or design or combination thereof~~ that  
15 readily identifies the athlete.

16 \* \* \*

17 (11) “Name, image, or likeness agreement” means an written, oral, express, or  
18 implied agreement, either oral or in a record, under which a third party provides name, image, or  
19 likeness compensation.

20 **Section 3. Scope**

21 (a) This [act] applies only to college athletes and intercollegiate sports.

22 ~~(b) This [act] does not apply to an individual participating in a sport in grades~~  
23 ~~kindergarten to grade 12 or at a youth, preparatory school, recreation, intramural, club, or similar~~

1 level.

2 [(be) This [act] does not apply to a ~~United States~~ military service academy, ~~or other~~  
3 ~~institution subject to similar federal regulation that prohibits name, image, or likeness~~  
4 ~~compensation.~~]

5 (cd) This [act] does not create an employment relationship between a college athlete and  
6 the athlete's institution with respect to the athlete's participation in an intercollegiate sport. This  
7 [act] may not be used as a factor in determining whether an employment relationship exists.

8 *Legislative Note: Subsection (be) should be included in a state that has a United States military*  
9 *service academy ~~or other institution subject to federal regulation that conflicts with this act.~~*

10 \* \* \*

11 \* \* \*

12 **Section 5. Name, Image, or Likeness Activity and Compensation; Limit on**  
13 **Institution, Conference, and Athletic Association**

14 (a) Except as provided in Section 6, a college athlete may engage in name, image, or  
15 likeness activity ~~receive name, image, or likeness compensation, or transfer the authority to use~~  
16 ~~the athlete's name, image, or likeness commercially,~~ to the extent permitted under other law of  
17 this state. ~~This [act] applies to a person who has received the authority to use an athlete's name,~~  
18 ~~image, or likeness commercially to the same extent as it applies to the athlete.~~ This [act] does not  
19 diminish, enlarge, or modify the right of publicity or related rights provided by other law of this  
20 state.

21 (b) Except as provided in Section 6:

22 (1) an institution, conference, or athletic association may not prevent or restrict a  
23 college athlete from:

24 \* \* \*

25 (3) receipt of name, image, or likeness compensation ~~an institution~~ may not affect

1 ~~the consider name, image, or likeness compensation to determine a college athlete's eligibility,~~  
2 ~~duration, amount, or renewal of an athletic scholarship for or amount of an athletic scholarship.~~

3 **Section 7. Institution, Conference, and Athletic Association Involvement**

4 (a) An institution, conference, or athletic association may:

5 \* \* \*

6 (5) ~~except as provided in Section 6(a), permit~~ license, transfer, or otherwise  
7 convey to a college athlete the right to use the intellectual property of the institution, conference,  
8 or athletic association in name, image, or likeness activity; or

9 **Section 8. Required Disclosures**

10 \* \* \*

11 (e) When a name, image, or likeness agreement is entered into, the agreement must  
12 contain a certification from the following parties that the agreement is the sole, complete, and  
13 final agreement between the parties ~~must be filed with the individual or office designated in~~  
14 ~~subsection (b) by:~~

15 \* \* \*

16 **[Section 11. Registration as Third Party; Application**

17 (a) A person applying for registration as a third party shall submit an application for  
18 registration to the [insert name of agency designated in Section 4] in a form prescribed by the  
19 [insert name of agency designated in Section 4]. The application must be signed under penalty of  
20 perjury by an authorized representative of the applicant ~~under penalty of perjury~~ and include:

21 \* \* \*

22 (5) the name and address of each person that is a partner, member, officer,  
23 director, manager, associate, or entitled to share profits, income, receipts, or other funds or

1 directly or indirectly holds an equity interest of at least [five] percent in the applicant;