



## State-by-State Athletics Name, Image, and Likeness Legislation<sup>1</sup>

### Executive Summary

The purpose of updating this 2021 database created by The Drake Group is to provide legislative policymakers, athletics administrators, and college athletes with current knowledge of state laws related to NIL and other third-party employment. School administrators need to understand what laws require in their own states and the states where their teams compete, to best guide their student-athletes, especially when laws involve taxation or other athlete obligations. Athletes and their agents must understand these obligations, rights, and opportunities related to earning NIL and other forms of compensation. Athletic governance organizations (such as NCAA, NAIA, NJCAA, conferences, and state athletic associations) need to address enforcement responsibilities when their rules conflict with state laws. Knowledge of state laws can help federal policymakers understand rights and benefits that should be included or compensation practices that should be prohibited by federal legislation. State legislators may use the database to identify model laws from other states to replicate or to determine what laws are necessary in their own state to protect athletes, schools, and colleges, or to influence the success of athletics programs in their area.

Categorized by state and whether a bill is a current law, pending further action, died in committee or chamber, an executive order, or was rescinded, the database provides the following information:

- Bill number, effective date, and a link to the actual legislation
- Whether the bill applies to colleges only or applies to both high schools and colleges
- Prohibitions or required provisions including scholarship and participation eligibility
- NIL contract disclosure provisions
- Institution/team contract disclosure and conflict provisions
- Whether schools, conferences, or the NCAA are permitted to provide NIL compensation to athletes
- Agent provisions
- NIL taxes and employment
- Other provisions

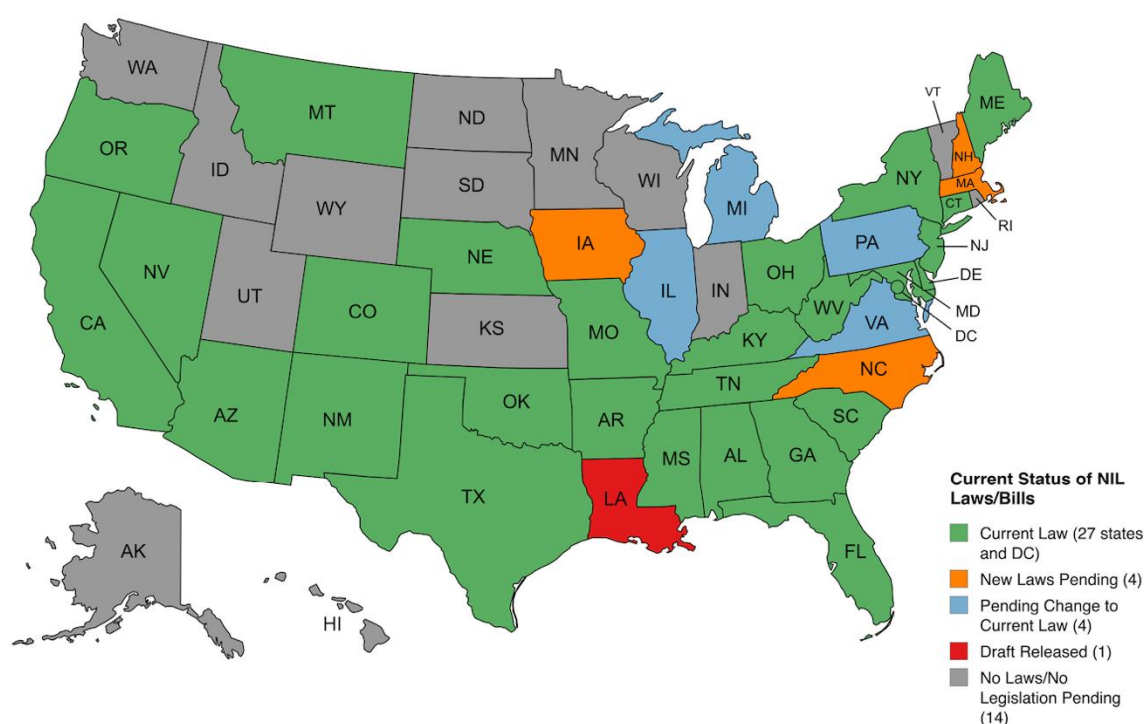
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<sup>1</sup> Preferred Citation: Williamson, Katie. (2025) "State-by-State Athletics Name, Image, Likeness Legislation." *TheDrakeGroup.org* (October 16, 2025). (<https://www.thedrakegroup.org/>), executive summary of an SMT588 Capstone Project dated October 8, 2025, Southern Connecticut State University Department of Sports and Entertainment Management, Recreation, Tourism, and Sport Management. Legislation or bills may have changed their status after the October 8, 2025 publication date of this paper database. Note that the use of terminology in various bills may differ in meaning or specificity, and, like all laws, they are subject to future interpretations by executive agencies of government.

## Results

**States with Athlete NIL and Compensation Laws and Bills.** As of October 8<sup>th</sup> 2025, the results were as follows with regard to the status of athlete NIL and compensation laws: Twenty-seven states (Alabama, Arkansas, Arizona, California, Colorado, Connecticut, Delaware, Florida, Georgia, Kentucky, Maine, Maryland, Montana, Mississippi, Missouri, Nebraska, Nevada, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, , South Carolina, Tennessee, Texas, and West Virginia), as well as Washington D.C, have adopted laws and currently, have no pending revisions. Four states (Iowa, Massachusetts, New Hampshire, and North Carolina) have new laws pending. Four states—Illinois, Pennsylvania, Michigan, and Virginia— have bills that are pending changes to current/existing laws. One state (Louisiana) has a draft release. Fourteen states (Alaska, Hawaii, Idaho, Indiana, Kansas, Minnesota, North Dakota, Rhode Island, South Dakota, Utah, Vermont, Washington, Wisconsin, and Wyoming) have no laws or legislation pending. Figure 1 below graphically depicts these results.

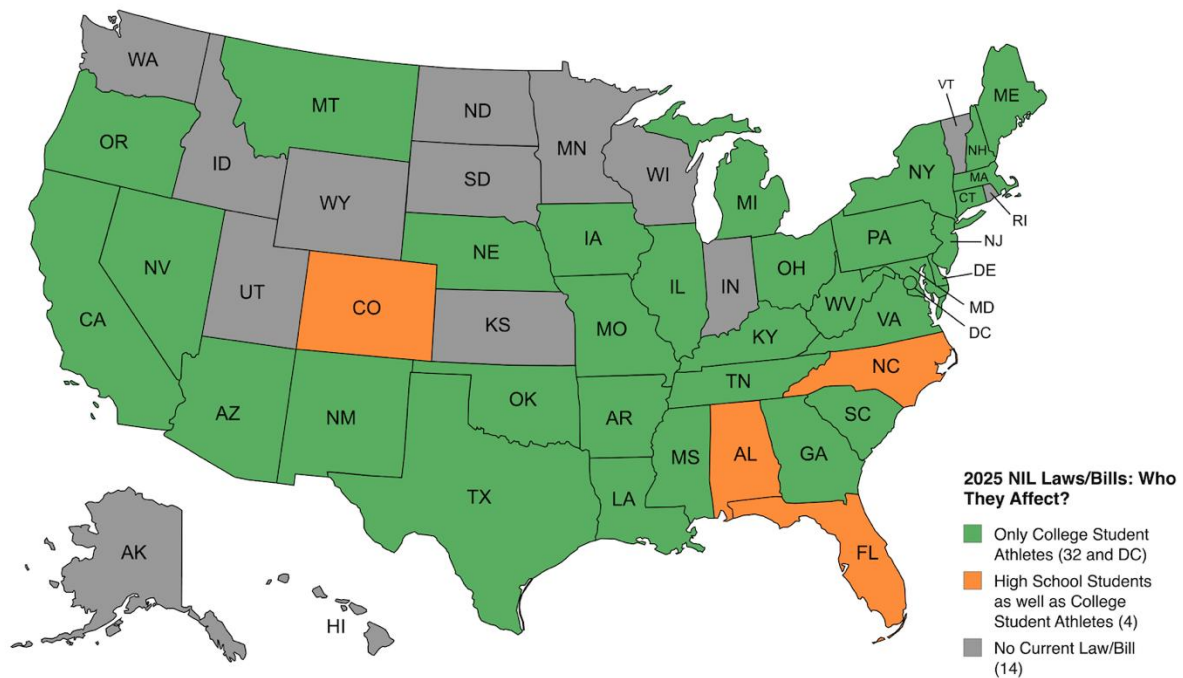
Figure 1. Status of State Athlete NIL and Compensation Laws and Bills  
Proposed or Pending as of October 8, 2025



**Athletes Affected by State NIL/Compensation Laws.** As of October 8<sup>th</sup>, 2025, thirty-two states and the District of Columbia (Alabama, Arkansas, California, Connecticut, Delaware, Georgia, Illinois, Iowa, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Mississippi, Missouri, Montana, Nebraska, Nevada, New Hampshire, New Jersey, New Mexico, New York, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia and DC) have introduced bills or passed laws that

only affect college student athletes. Four states (Alabama, Colorado, Florida, and North Carolina) have introduced laws and bills that apply to both high school and college student athletes. Fourteen states (Alaska, Hawaii, Idaho, Indiana, Kansas, Minnesota, North Dakota, Rhode Island, South Dakota, Utah, Vermont, Washington, Wisconsin, and Wyoming) have no current laws or bills in place. See Figure 2 below for a depiction of these results.

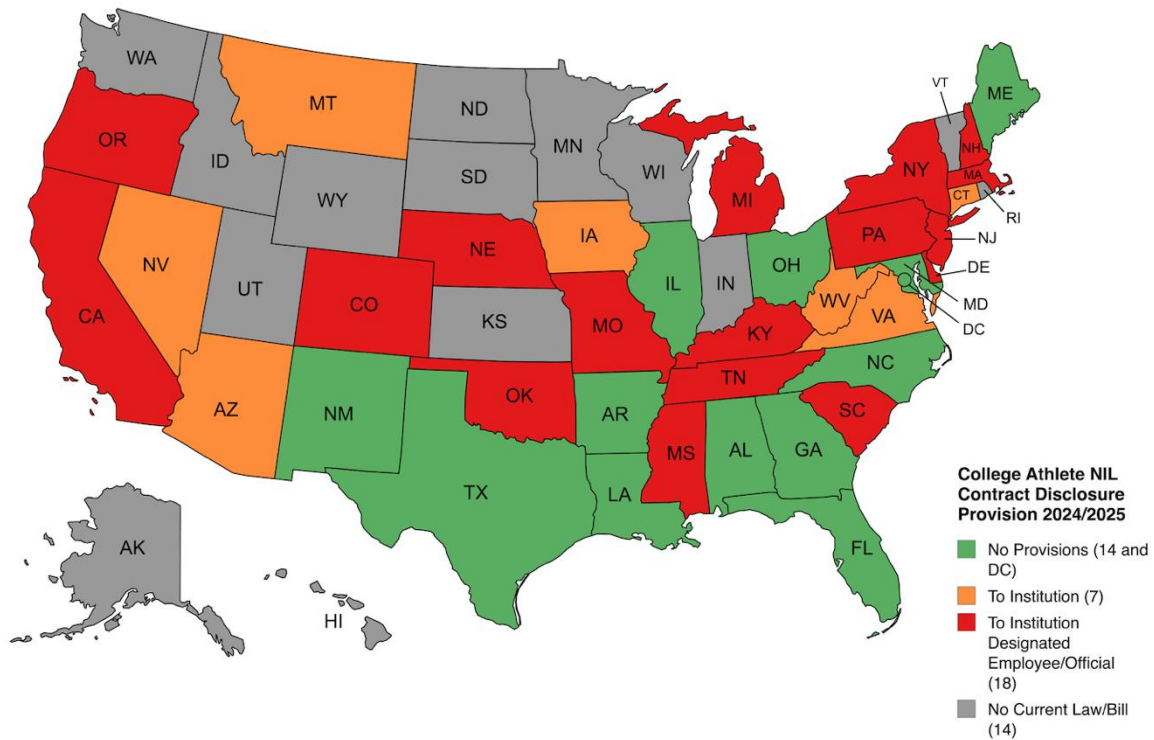
Figure 2. State NIL Laws/Bills and Who They Affect  
Proposed or Pending as of October 8<sup>th</sup>, 2025



**State Laws with College Athlete Contract Disclosure Provisions.** Fourteen states and the District of Columbia (Alabama, Arkansas, Florida, Georgia, Illinois, Louisiana, Maine, Maryland, New Mexico, North Carolina, Ohio, Rhode Island, Texas, Utah and DC) have no contract disclosure provisions in place, while seven states (Arizona, Connecticut, Iowa, Montana, Nevada, Virginia, and West Virginia) require disclosure to the institution and eighteen states (California, Colorado, Delaware, Kentucky, Massachusetts, Michigan, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, and Vermont) also require disclosure of the contract to the institution but specify to the institution’s designated employee/official. There are currently three bills that prohibit disclosure in response to FOIA requests or require the permission of the athlete for public disclosure. The three bills are North Carolina Senate Bill 225 (2025), Kentucky Senate Bill 3 (2025), and Kentucky Bill 6 (2025). As stated by Georgetown Law Technology Review, “At least twenty states compel student-athletes to disclose information related to NIL agreements. However, at least six states counsel *against* disclosure and transparency. Louisiana, for example, has enacted a law rendering NIL contract information “confidential and not subject to inspection, examination,

copying or reproduction pursuant to the Public Records Law.” Kentucky passed a law exempting NIL deals from the Kentucky Open Records Act and barring their public disclosure.” Eleven states (Alaska, Hawaii, Idaho, Indiana, Kansas, Minnesota, North Dakota, South Dakota, Washington, Wisconsin, and Wyoming) have no applicable laws/bills.

Figure 3. State Laws with College Athlete NIL Contract Provisions  
Proposed or Pending as of October 8<sup>th</sup>, 2025



**Other NIL/Compensation Bill Provisions of Interest.** Table 1 on the following page highlights policy areas that are of interest to state legislators but have not yet gained widespread support. However, the fact that bills are being proposed shows that there are practices or concerns that elected officials are trying to address, even if they haven't reached consensus yet. These issues are worth mentioning because they could signal future state laws. Following the table, each issue is discussed.

Table 1. States with Other NIL/Compensation Bill Provisions of Interest  
that may or may not have been adopted

Bill Title/Theme	States L= Law P= Pending D= Died	Number of States
a. Extension of NIL Rights to High School Athletes	Alabama (D), Florida(D), Kentucky(L), North Carolina(P)	4
b. Income Tax Exemptions or Tax Deduction for NIL Earnings	Alabama(D), Arkansas (L) Georgia(D), Louisiana(D), North Carolina (P)	5
c. Employment Status and Contract Restrictions	Arizona (L)	1
d. Amend Existing NIL Rights Acts / Publicity Rights	Arkansas(L), Nebraska(D), Oklahoma(L), Illinois(P)	4
e. General NIL Support / Compensation Rights	Colorado(L), Connecticut(D), Iowa(P), Oregon(L), Pennsylvania(P), Utah(D), Virginia(P), West Virginia(L)	8
f. Endorsement Contracts / Revenue Sharing	Connecticut(D)	1
g. Athlete Agent & Collective Regulation	Florida(D), Pennsylvania(P), North Carolina (P)	3
h. Scholarship Impact Based on NIL Income	Illinois(P)	1
i. Institutional Agreements & Oversight	Kentucky(L), Michigan(P)	2
j. Right to Earn NIL (Broad Protections)	New Hampshire(P), New Jersey(L), Texas(L)	3
k. Special Acts (Unique Naming or Protections)	North Carolina(P), Washington D.C.(L)	2
l. Revisions / Updates to Existing NIL Law	Nevada(L), Tennessee(L)	2

**a. Extension of NIL Rights to High School Athletes.** Only one state, Kentucky, has adopted a law giving high school athletes NIL rights. North Carolina is considering following suit with a bill currently pending. Alabama and Florida proposed bills to do the same, but those efforts died in committee.

**b. Income Tax Exemptions or Tax Deduction for NIL Earnings.** Five states—Alabama, Arkansas, Georgia, Louisiana, and North Carolina— have tried to advance bills that would give college athletes earning NIL income with state income tax exemptions or enjoy tax deductions on certain amounts of NIL earnings or for related expenditures. Notably, Alabama, Georgia, and Louisiana initiatives died in committee. North Carolina is a pending bill, and Arkansas’s bill was passed into law.

**c. Employment Status and Contract Restrictions.** One state, Arizona, has adopted a law that declares that earning NIL compensation does not make an athlete an “employee” of the institution. Provisions that outline employment status and/or contract restrictions. The employment status provision refers to whether the money that the student-athletes are earning from NIL deals classifies them as employees of their institution, team, or sponsor. College athletes are considered amateurs, not employees, under NCAA rules. Contract restrictions provisions refer to the limitations/rules on NIL agreements made by the institution, conference, NCAA, and state.

**d. Amending Existing NIL Right Acts and Publicity Acts.** Four states- Arkansas, Illinois, Nebraska, and Oklahoma have tried to advance bills. These four states have had previous NIL laws that were enacted into law. Now, for the 2025 legislative year, they have introduced new bills that correct or amend previous NIL rights. For example, in Arkansas’s bill, they previously had limited publicity rights; now, with the new bill, it expands and clarifies that student athletes can enter into contracts and receive compensation for commercial use of their publicity rights. There are also changes regarding funding limits for intercollegiate athletic programs at state schools. For Illinois, they want to amend the Student-Athlete Endorsement Rights Act, which provides that if a student-athlete earns more than \$250,000 from the use of the name, image, likeness, or voice of the student-athlete, then any academic scholarship granted to the student-athlete shall be reduced by \$1 per dollar the student-athlete earns over \$250,000. For Oklahoma, the bill allows colleges or approved third parties to pay or represent student-athletes for their NIL, but not with state funds. It also protects athletes’ rights, allows schools to cancel rule-breaking deals without liability, updates contract rules, and takes effect immediately. The bill updates Nebraska’s NIL law to allow certain payments and representation for student-athletes while banning the use of state funds for those payments. It also protects athletes’ control over their NIL, lets schools cancel noncompliant deals without liability, updates contract rules, and takes effect immediately. Arkansas and Oklahoma have adopted the law to amend existing NIL rights acts and publicity acts; Illinois hopes to do the same, but the bill is still pending. Nebraska, on the other hand, proposed the bill, but it died in committee.

**e. General NIL Support and/or Compensation Rights:** Eight states- Colorado, Connecticut, Iowa, Oregon, Pennsylvania, Utah, Virginia, and West Virginia have all proposed the bill regarding new laws that allow student athletes to earn money or receive benefits for the use of their NIL. Colorado, Oregon, and West Virginia have passed the bills into law. Iowa, Pennsylvania, and Virginia have not yet been enacted into law and are currently pending bills, while Utah and Connecticut proposed bills but have died in committee.

**f. Endorsement Contracts and Revenue Sharing:** One state, Connecticut, proposed the bill, but it died in committee. The bill would have allowed colleges/institutions to pay their student-athletes through endorsement deals and revenue-sharing agreements, meaning

athletes could earn money from promotions or receive a share of the money their school earns through their athletics programs.

**g. Athlete Agent and Collective Regulation:** Three states, Florida, Pennsylvania, and North Carolina, have outlined this provision within their bills. For Florida, the bill set rules for athlete agents and NIL collectives, including capping agent fees at five percent and requiring anyone advising student-athletes to register with schools. Pennsylvania proposed the bill to set rules for athlete agents and NIL advisors, making sure they follow certain limits and act properly when helping student athletes. It also gives athletes protection and rights, which creates ways to enforce the rules to ensure deals are fair and transparent. North Carolina's bill is an act to authorize NIL agency contracts and to exempt NIL contracts from public records requirements. Pennsylvania and North Carolina are currently pending bills; Florida's proposed bill died in committee.

**h. Scholarship Impact-Based on NIL Income** - One state, Illinois, proposed the bill, and is still a pending bill. As I stated in one of the previous points above the bill amends the Student-Athlete Endorsement Rights Act. Provides that if a student-athlete earns more than \$250,000 from the use of the name, image, likeness, or voice of the student-athlete, then any academic scholarship granted to the student-athlete shall be reduced by \$1 per dollar the student-athlete earns over \$250,000.

**i. Institutional Agreement and Oversight:** Two states- Kentucky and Michigan. Both states had the provision outlined in their proposed bills. Kentucky's bill outlines that an institution or affiliated corporation may designate, through contract, sublicense or other written agreement, a media rights holder or one or more other third parties with whom an institution's student-athletes may directly enter into NIL agreements consistent with the prevailing range of compensation. For Michigan the bill outlines an act to prohibit postsecondary educational institutions in this state and certain athletic organizations from preventing a college athlete from receiving compensation for the use of the college athlete's name, image, or likeness rights; to provide for certain other measures related to the protection of a college athlete's use of the college athlete's name, image, or likeness rights; to provide for the powers and duties of certain state governmental officers and entities; and to provide remedies Kentucky's bill was passed, while Michigan's current status on the outlined bill is pending.

**j. Right to Earn NIL (Broad Protections)-** Three states: New Hampshire, New Jersey, and Texas have outlined this provision within their proposed bills. New Hampshire's bill is an act relative to the right of intercollegiate student athletes to earn compensation through the use of their NIL within certain parameters. New Jersey's bill establishes protections for student-athletes and certain institutions of higher education concerning NIL compensation; repeals the "New Jersey Fair Play Act." Texas's bill outlines an act relating to the compensation and professional representation of prospective student athletes and student athletes participating in intercollegiate athletic programs at certain institutions of higher



education. Texas and New Jersey have enacted their bills into law, while New Hampshire hopes to follow suit, as it is currently a pending bill.

**k. Special Acts (Unique Naming or Protections):** One state- North Carolina, as well as Washington, D.C, has proposed bills outlining the provision. North Carolina's bill as I outlined above is an act to authorize NIL agency contracts and to exempt NIL from public records requirements. Washington D.C's bill outlines to permit an institution, conference, or athletic association to assist a college athlete in selecting, arranging for, or providing payment to a NIL agent and in selecting, arranging for, or collecting payment from a third party engaged in specific name, image, or likeness agreements with college athletes, and to remove the prohibition against institutions or conferences providing compensation to a college athlete for the use of the athlete's NIL. Washington, D.C has passed and enacted the bill into law; North Carolina's bill is currently is still pending.

**l. Revisions/Updates to Existing NIL Laws:** Two states- Nevada and Tennessee. Both states proposed bills outlining the provisions to revise/update existing NIL laws. Nevada's bill outlines an act relating to education; revising provisions relating to the compensation of student athletes for the use of their NIL; revising provisions relating to contracts for compensation for the use of the NIL of student athletes; making confidential certain information and contracts relating to the compensation of student athletes for the use of their NIL; and providing other matters properly relating thereto. Tennessee's bill outlines that an intercollegiate athlete may perform diligence and receive compensation related to the use of the intercollegiate athlete's NIL, the intercollegiate athlete's enrollment at an institution, roster position with its athletics program, or any other categories of compensation available to or received by similarly situated intercollegiate athletes in interstate commerce. Both states have passed their bills and have been enacted into law.

## **Discussion**

It is evident that since state NIL laws were first introduced in 2019, these laws have advanced from allowing college athletes to earn NIL compensation from third parties outside a school or college to inspiring broader proposals that appear to recognize athletes as employees entitled to wages, collective bargaining rights, and other employment benefits and legal protections. This can be seen in several proposed bills, for example, the state of California introduced The College Athlete Protection Act 2023, and in the 2023/2024 legislative year, New York proposed The College Athlete Bill of Rights. The concerns of legislators have progressed from a student-athlete being able to earn compensation to many states now discussing student-athletes being classified as employees. Even though many of these proposed bills didn't pass, the thought of student-athletes being called employees is a big change and reflects an ongoing national debate in many states. As stated by an article called "The Legal Battle: Student Athlete or Employee?" by Ave Maria School of Law, "For decades, the NCAA has insisted that college athletes are 'student-athletes' rather than employees, exempting universities from paying wages, benefits, or recognizing union rights. However, this classification is under increasing legal scrutiny, particularly after the ruling



in *Johnson v. NCAA*, where the Third Circuit returned the case to a lower court to apply an appropriate employee test.

The potential exists for courts to find that college athletes are employees. If this happens, that decision would have profound implications for college athletes who might lose the current athletic scholarship tax deduction they enjoy, have to pay significant taxes on earned income, etc., and for institutions who must incur significant salary and benefits expense and pay the employer portion of employee taxes. Athletes now earning NIL compensation would not be considered employees. Rather, they would most likely be categorized as independent third-party contractors. It should be noted that 2025 legislative proposals included many bills that stated student-athletes should not be considered employees, and many of the bills had no provisions or mention of employment.

Overall, this database is very beneficial for many reasons. As previously mentioned, it may be helpful for schools in different states that are in the same conference to see what their opponents in other states are being allowed or prohibited from doing and whether these differences create a competitive advantage or disadvantage, especially with regard to athletes being recruited by multiple institutions in different states.

Another area that appears to be drawing the interest of policymakers is whether athlete compensation agreements will be accessible to the media under state ‘sunshine’ laws or ‘freedom of information’ laws now applicable to public institutions. While public institutions are expected to be transparent in the use of public funds, will this transparency commitment extend to athlete NIL and compensation agreements, now commonplace as a result of the *House v. NCAA* settlement. Given such questions, it is easy to understand why a uniform federal law applicable to all higher education institutions receiving federal funds is necessary.