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(Original Signature of Member)

119TH CONGRESS  
1ST SESSION

**H. R.** \_\_\_\_\_

To protect the name, image, and likeness rights of student athletes and to promote fair competition with respect to intercollegiate athletics, and for other purposes.

\_\_\_\_\_  
**IN THE HOUSE OF REPRESENTATIVES**

Mr. BILIRAKIS introduced the following bill; which was referred to the Committee on \_\_\_\_\_

\_\_\_\_\_  
**A BILL**

To protect the name, image, and likeness rights of student athletes and to promote fair competition with respect to intercollegiate athletics, and for other purposes.

1       *Be it enacted by the Senate and House of Representa-*  
2       *tives of the United States of America in Congress assembled,*

3       **SECTION 1. SHORT TITLE.**

4       This Act may be cited as the “Student Compensation  
5       and Opportunity through Rights and Endorsements Act”  
6       or the “SCORE Act”.

7       **SEC. 2. DEFINITIONS.**

8       In this Act:

1 (1) AGENT.—The term “agent”—

2 (A) means an individual who represents a  
3 student athlete with respect to a name, image,  
4 and likeness agreement or another agreement  
5 for compensation related to the participation of  
6 such student athlete on a varsity sports team;  
7 and

8 (B) does not include an immediate family  
9 member of a student athlete, unless the imme-  
10 diate family member receives payment for rep-  
11 resentation described in subparagraph (A).

12 (2) ANTITRUST LAWS.—The term “antitrust  
13 laws” has the meaning given such term in the 1st  
14 section of the Clayton Act (15 U.S.C. 12) and sec-  
15 tion 5 of the Federal Trade Commission Act (15  
16 U.S.C. 45) to the extent that such section 5 applies  
17 to unfair methods of competition.

18 (3) ASSOCIATED ENTITY OR INDIVIDUAL.—The  
19 term “associated entity or individual” means, with  
20 respect to an institution—

21 (A) an entity that is known or should be  
22 known to the employees of the athletic depart-  
23 ment of such institution to exist, in significant  
24 part, for the purpose of—

1 (i) promoting or supporting the var-  
2 sity sports teams or student athletes of  
3 such institution; or

4 (ii) creating or identifying opportuni-  
5 ties relating to name, image, and likeness  
6 agreements solely for the student athletes  
7 of such institution;

8 (B) an individual who is or has been a  
9 member, employee, director, officer, owner, or  
10 other representative of an entity described in  
11 subparagraph (A);

12 (C) an individual who directly or indirectly  
13 (including through contributions by an entity  
14 affiliated with such individual or an immediate  
15 family member of such individual) has contrib-  
16 uted more than \$50,000 (as adjusted on July  
17 1 each year by the percentage increase (if any),  
18 during the preceding 12-month period, in the  
19 Consumer Price Index for All Urban Con-  
20 sumers published by the Bureau of Labor Sta-  
21 tistics) over the lifetime of the individual to the  
22 athletic programs of such institution or to an  
23 entity described in subparagraph (A);

24 (D) an individual or entity who—

1 (i) is directed or requested by the em-  
2 ployees of the athletic department of such  
3 institution to assist in the recruitment or  
4 retention of prospective student athletes or  
5 student athletes, respectively; or

6 (ii) otherwise assists in such recruit-  
7 ment or retention; or

8 (E) any entity (other than a publicly trad-  
9 ed corporation) owned, controlled, operated by,  
10 or otherwise affiliated with an individual or en-  
11 tity described in subparagraph (A), (B), (C), or  
12 (D).

13 (4) COLLEGE SPORTS REVENUE.—The term  
14 “college sports revenue” means any revenue (without  
15 regard to ownership or legal title to such revenue)  
16 received by an institution with respect to intercolle-  
17 giate athletics—

18 (A) from the sale of admission to inter-  
19 collegiate athletic competitions or any other  
20 event involving a varsity sports team, including  
21 actual monetary revenue received by or for the  
22 benefit of such institution for a suite license  
23 (unless such suite license is associated with phi-  
24 lanthropy or any purpose not related to inter-

1 collegiate athletic competitions, including a con-  
2 cert);

3 (B) from participation by the varsity  
4 sports teams of such institution in intercolle-  
5 giate athletic competitions held at other institu-  
6 tions, including payments received due to can-  
7 cellations of such intercollegiate athletic com-  
8 petitions;

9 (C) for radio, television, internet, digital,  
10 and e-commerce rights, including revenue relat-  
11 ing to media rights distributed by a conference  
12 to members of the conference, if applicable;

13 (D) from an interstate intercollegiate ath-  
14 letic association, including any grant, distribu-  
15 tion of revenue, reimbursement relating to trav-  
16 el with respect to a championship of such inter-  
17 state intercollegiate athletic association, and  
18 payment for hosting such a championship;

19 (E) generated by a post-season football  
20 bowl, including any distribution of revenue by a  
21 conference to members of the conference and  
22 any other payment related to the participation  
23 of such institution in such post-season football  
24 bowl, including for ticket sales and reimburse-  
25 ment of expenses;

1 (F) from a conference, other than any rev-  
2 enue otherwise described in this paragraph;

3 (G) for sponsorships, licensing agreements,  
4 advertisements, royalties, and in-kind products  
5 and services as part of a sponsorship agree-  
6 ment; and

7 (H) relating to any additional form of rev-  
8 enue an interstate intercollegiate athletic asso-  
9 ciation uses with respect to the pool limit of  
10 such interstate intercollegiate athletic associa-  
11 tion.

12 (5) COMPENSATION.—The term “compensa-  
13 tion”—

14 (A) means, with respect to a student ath-  
15 lete or a prospective student athlete, any form  
16 of payment or remuneration, whether provided  
17 through cash, benefits, awards, or any other  
18 means, including payments for—

19 (i) licenses relating to, or the use of,  
20 name, image, and likeness rights; or

21 (ii) licenses relating to, or the use of,  
22 any other Federal or State intellectual or  
23 intangible property right; and

24 (B) does not include—

25 (i) grants-in-aid;

1 (ii) Federal Pell Grants and other  
2 Federal or State grants unrelated to and  
3 not awarded with regard to participation in  
4 intercollegiate athletics;

5 (iii) health insurance and payments  
6 for the costs of health care, including  
7 health insurance and payments for the  
8 costs of health care wholly or partly self-  
9 funded by an institution, conference, or  
10 interstate intercollegiate athletic associa-  
11 tion;

12 (iv) disability and loss-of-value insur-  
13 ance, including disability and loss-of-value  
14 insurance that is wholly or partly self-  
15 funded by an institution, conference, or  
16 interstate intercollegiate athletic associa-  
17 tion;

18 (v) career counseling, job placement  
19 services, and other guidance available to all  
20 students at an institution;

21 (vi) payment of hourly wages and ben-  
22 efits for work actually performed (and not  
23 for participation in intercollegiate ath-  
24 letics) at a rate commensurate with the

1 going rate in the locality of an institution  
2 for similar work;

3 (vii) academic awards paid to student  
4 athletes by institutions;

5 (viii) provision of financial literacy or  
6 tax education resources and guidance; or

7 (ix) any program to connect student  
8 athletes with employers and facilitate em-  
9 ployment opportunities, if—

10 (I) the financial terms of such  
11 employment opportunities are con-  
12 sistent with the terms offered to simi-  
13 larly situated employees who are not  
14 student athletes; and

15 (II) such program is not used to  
16 induce a student athlete to attend a  
17 particular institution.

18 (6) CONFERENCE.—The term “conference”  
19 means an entity that—

20 (A) has as members 2 or more institutions;

21 (B) arranges regular season intercollegiate  
22 athletic competitions and championships for  
23 such members; and



1 (C) sets rules with respect to such inter-  
2 collegiate athletic competitions and champion-  
3 ships.

4 (7) COST OF ATTENDANCE.—The term “cost of  
5 attendance”—

6 (A) has the meaning given such term in  
7 section 472 of the Higher Education Act of  
8 1965 (20 U.S.C. 1087ll); and

9 (B) is calculated by the financial aid office  
10 of an institution applying the same standards,  
11 policies, and procedures for all students.

12 (8) GRANT-IN-AID.—The term “grant-in-aid”  
13 means a scholarship, grant, stipend, or other form of  
14 financial assistance, including the provision of tui-  
15 tion, room, board, books, or funds for fees or per-  
16 sonal expenses, that—

17 (A) is paid or provided by an institution to  
18 a student for the undergraduate or graduate  
19 course of study of the student; and

20 (B) is in an amount that does not exceed  
21 the cost of attendance at the institution for  
22 such student.

23 (9) IMAGE.—The term “image” means, with re-  
24 spect to a student athlete, a picture or a video that

1 identifies, is linked to, or is reasonably linkable to  
2 such student athlete.

3 (10) INSTITUTION.—The term “institution” has  
4 the same meaning given the term “institution of  
5 higher education” in section 101 of the Higher Edu-  
6 cation Act of 1965 (20 U.S.C. 1001).

7 (11) INTERCOLLEGIATE ATHLETIC COMPETI-  
8 TION.—The term “intercollegiate athletic competi-  
9 tion” means any contest, game, meet, match, tour-  
10 nament, regatta, or other event in which varsity  
11 sports teams of more than 1 institution compete.

12 (12) INTERCOLLEGIATE ATHLETICS.—The term  
13 “intercollegiate athletics”—

14 (A) means the varsity sports teams for  
15 which eligibility requirements for participation  
16 by student athletes are established by a con-  
17 ference or an interstate intercollegiate athletic  
18 association; and

19 (B) does not include any recreational, in-  
20 tramural, or club teams.

21 (13) INTERSTATE INTERCOLLEGIATE ATHLETIC  
22 ASSOCIATION.—The term “interstate intercollegiate  
23 athletic association” means—

24 (A) any entity incorporated in the United  
25 States that—

1 (i) sets common rules, standards, pro-  
2 cedures, or guidelines for the administra-  
3 tion and regulation of varsity sports teams  
4 and intercollegiate athletic competitions;

5 (ii) is composed of 2 or more institu-  
6 tions or conferences located in more than  
7 1 State; and

8 (iii) has rules or bylaws prohibiting  
9 the provision of prohibited compensation to  
10 student athletes and prospective student  
11 athletes; and

12 (B) does not include any entity affiliated  
13 with professional athletic competitions.

14 (14) LIKENESS.—The term “likeness” means,  
15 with respect to a student athlete, a physical or dig-  
16 ital depiction or representation that identifies, is  
17 linked to, or is reasonably linkable to such student  
18 athlete.

19 (15) NAME.—The term “name” means, with re-  
20 spect to a student athlete, the first, middle, or last  
21 name, or the nickname or former name, of such stu-  
22 dent athlete if used in a context that identifies, is  
23 linked to, or is reasonably linkable to such student  
24 athlete.

1           (16) NAME, IMAGE, AND LIKENESS AGREE-  
2           MENT.—The term “name, image, and likeness agree-  
3           ment” means a contract or similar agreement under  
4           which a student athlete licenses or authorizes, or a  
5           contract or similar agreement that otherwise is in  
6           relation to, the commercial use of the name, image,  
7           or likeness of the student athlete.

8           (17) NAME, IMAGE, AND LIKENESS RIGHTS.—  
9           The term “name, image, and likeness rights” means  
10          rights recognized under Federal or State law that  
11          allow an individual to control and profit from the  
12          commercial use of the name, image, and likeness of  
13          such individual, including all rights commonly re-  
14          ferred to as “publicity rights”.

15          (18) POOL LIMIT.—The term “pool limit”  
16          means a dollar amount based on college sports rev-  
17          enue that—

18                (A) is calculated and published by an  
19                interstate intercollegiate athletic association  
20                pursuant to the rules the interstate intercolle-  
21                giate athletic association establishes under sec-  
22                tion 6; and

23                (B) serves as the annual maximum amount  
24                that an institution that is a member of such  
25                interstate intercollegiate athletic association

1           may provide, in total, to student athletes of  
2           such institution, including in the form of a  
3           name, image, and likeness agreement or direct  
4           payment.

5           (19) PROHIBITED COMPENSATION.—The term  
6           “prohibited compensation” means—

7                   (A) compensation (including an agreement  
8                   for compensation) to a student athlete from an  
9                   associated entity or individual of the institution  
10                  at which the student athlete is enrolled (or to  
11                  a prospective student athlete from an associated  
12                  entity or individual of an institution for which  
13                  the prospective student athlete is being re-  
14                  cruited) for any license or use of the name,  
15                  image, and likeness rights of such student ath-  
16                  lete or prospective student athlete (or any other  
17                  license or use), unless the license or use is for  
18                  a valid business purpose related to the pro-  
19                  motion or endorsement of goods or services pro-  
20                  vided to the general public for profit, with com-  
21                  pensation at rates and terms commensurate  
22                  with compensation paid to individuals with  
23                  name, image, and likeness rights of comparable  
24                  value who are not student athletes or prospec-

1           tive student athletes with respect to such insti-  
2           tution; and

3                   (B) compensation to a student athlete (or  
4           a prospective student athlete) if such compensa-  
5           tion is paid by or on behalf of the institution  
6           at which the student athlete is enrolled (or for  
7           which the prospective student athlete is being  
8           recruited) and results in the exceeding of the  
9           pool limit established by the interstate inter-  
10          collegiate athletic association of which such in-  
11          stitution is a member.

12          (20) PROSPECTIVE STUDENT ATHLETE.—The  
13          term “prospective student athlete” means an indi-  
14          vidual who is solicited to enroll at an institution by,  
15          or at the direction of, an employee or an associated  
16          entity or individual of the institution in order for  
17          such individual to participate in a varsity sports  
18          team of such institution.

19          (21) STATE.—The term “State” means each  
20          State of the United States, the District of Columbia,  
21          and each commonwealth, territory, or possession of  
22          the United States.

23          (22) STUDENT ATHLETE.—The term “student  
24          athlete” means an individual who—

1 (A) is enrolled or has agreed to enroll at  
2 an institution; and

3 (B) participates in a varsity sports team of  
4 such institution.

5 (23) VARSITY SPORTS TEAM.—The term “var-  
6 sity sports team” means an entity composed of an  
7 individual or group of individuals enrolled at an in-  
8 stitution that is organized by such institution for the  
9 purpose of participation in intercollegiate athletic  
10 competitions.

11 **SEC. 3. PROTECTION OF NAME, IMAGE, AND LIKENESS**

12 **RIGHTS OF STUDENT ATHLETES.**

13 (a) RIGHT TO ENTER INTO NAME, IMAGE, AND  
14 LIKENESS AGREEMENTS.—

15 (1) IN GENERAL.—No institution, conference,  
16 or interstate intercollegiate athletic association may  
17 restrict the ability of a student athlete to enter into  
18 a name, image, and likeness agreement.

19 (2) EXCEPTIONS.—

20 (A) PROHIBITED COMPENSATION.—Para-  
21 graph (1) does not apply with respect to a  
22 name, image, and likeness agreement to the ex-  
23 tent such agreement provides prohibited com-  
24 pensation.

1 (B) CODES OF CONDUCT AND CON-  
2 FLICTING AGREEMENTS.—Notwithstanding  
3 paragraph (1), an institution may restrict the  
4 ability of a student athlete of such institution  
5 (including a prospective student athlete who has  
6 agreed to attend such institution) to enter into  
7 a name, image, and likeness agreement that—  
8 (i) violates the code of conduct of such  
9 institution; or  
10 (ii) conflicts with the terms of a con-  
11 tract or similar agreement to which such  
12 institution is a party.

13 (b) RIGHT TO REPRESENTATION.—Except as pro-  
14 vided by this Act, no institution, conference, or interstate  
15 intercollegiate athletic association may restrict the ability  
16 of a student athlete to obtain an agent.

17 (c) RIGHT TO PRIVACY.—Except as provided by this  
18 Act, no institution, conference, or interstate intercollegiate  
19 athletic association may release information disclosed to  
20 such entity by a student athlete with respect to a name,  
21 image, and likeness agreement without the express written  
22 consent of such student athlete.

23 **SEC. 4. SPORTS AGENT RESPONSIBILITY AND TRUST ACT.**

24 The Sports Agent Responsibility and Trust Act (15  
25 U.S.C. 7801 et seq.) is amended—



1 (1) in section 3(b)(3), by striking “Warning to  
2 Student Athlete: If you agree orally or in writing to  
3 be represented by an agent now or in the future you  
4 may lose your eligibility to compete as a student ath-  
5 lete in your sport.” and inserting “Notice to Student  
6 Athlete:”; and

7 (2) by adding at the end the following:

8 **“SEC. 9. DISCLOSURE AND CONSENT RELATING TO NAME,**  
9 **IMAGE, AND LIKENESS AGREEMENTS.**

10 “(a) IN GENERAL.—An athlete agent who assists a  
11 student athlete with an endorsement contract shall dis-  
12 close in writing to the student athlete—

13 “(1) whether the athlete agent is registered  
14 with an interstate intercollegiate athletic association  
15 (as defined in section 2 of the SCORE Act); and

16 “(2) if the athlete agent is registered with an  
17 interstate intercollegiate athletic association, whether  
18 the athlete agent is registered with the interstate  
19 intercollegiate athletic association that has as a  
20 member the institution (as defined in section 2 of  
21 the SCORE Act) at which the student athlete is en-  
22 rolled.

23 “(b) CONSENT.—In the case of an athlete agent who  
24 is not registered with an interstate intercollegiate athletic  
25 association, the athlete agent may only assist a student

1 athlete with an endorsement contract if the student athlete  
2 (or, in the case of a student athlete who is under 18 years  
3 of age, the parent or guardian of the student athlete) pro-  
4 vides to the athlete agent written consent for such assist-  
5 ance after receiving the disclosure under subsection (a).

6 “(c) ENFORCEMENT.—

7 “(1) IN GENERAL.—If an attorney general of a  
8 State has reason to believe that an interest of the  
9 residents of that State has been or is threatened or  
10 adversely affected by the engagement of any athlete  
11 agent in a practice that violates this section, the at-  
12 torney general may bring a civil action pursuant to  
13 section 5 in the same manner as the attorney gen-  
14 eral may bring a civil action with respect to a viola-  
15 tion of section 3.

16 “(2) SOLE AUTHORITY.—No individual or enti-  
17 ty other than an attorney general of a State may en-  
18 force this section.

19 “(3) NO FEDERAL NOTICE NECESSARY.—Sub-  
20 sections (a)(2), (b), and (d) of section 5 do not  
21 apply to an action brought by an attorney general of  
22 a State pursuant to this subsection.”.

1 **SEC. 5. REQUIREMENTS APPLICABLE TO CERTAIN INSTITU-**  
2 **TIONS.**

3 (a) REQUIREMENTS.—An institution described in  
4 subsection (c) shall—

5 (1) provide comprehensive academic support  
6 and career counseling services to student athletes  
7 that include life skills development programs with  
8 respect to—

9 (A) mental health, including alcohol and  
10 substance abuse;

11 (B) strength and conditioning;

12 (C) nutrition;

13 (D) name, image, and likeness rights, in-  
14 cluding related legal advice;

15 (E) financial literacy, including taxes;

16 (F) career readiness and counseling;

17 (G) the process for transferring between  
18 institutions; and

19 (H) sexual violence prevention;

20 (2) provide medical and health benefits to stu-  
21 dent athletes that include—

22 (A) medical care, including payment of  
23 out-of-pocket expenses, for an injury of a stu-  
24 dent athlete incurred during the involvement of  
25 such student athlete in intercollegiate athletics  
26 for such institution that is available to the stu-

1           dent athlete during the period of enrollment of  
2           the student athlete with such institution and a  
3           period of at least 3 years following graduation  
4           or separation from such institution (unless such  
5           separation is due to violation of a code of con-  
6           duct);

7                   (B) mental health services and support, in-  
8                   cluding mental health educational materials and  
9                   resources;

10                   (C) an administrative structure that pro-  
11                   vides independent medical care, including with  
12                   respect to decisions regarding return to play;  
13                   and

14                   (D) a certification of insurance coverage  
15                   for medical expenses resulting from injuries of  
16                   student athletes incurred during the involve-  
17                   ment of such student athletes in intercollegiate  
18                   athletics for such institution;

19           (3) maintain a grant-in-aid provided to a stu-  
20           dent athlete in relation to the involvement of such  
21           student athlete in intercollegiate athletics during the  
22           period of that grant-in-aid for such institution with-  
23           out regard to—

24                   (A) athletic performance;

25                   (B) contribution to team success;

1 (C) injury, illness, or physical or mental  
2 condition; or

3 (D) receipt of compensation pursuant to a  
4 name, image, and likeness agreement;

5 (4) provide a degree completion program—

6 (A) for each former student athlete of such  
7 institution who received a grant-in-aid from  
8 such institution and did not graduate from such  
9 institution; and

10 (B) that provides financial aid to such  
11 former student athlete in an amount that is  
12 based on the average annual grant-in-aid pro-  
13 vided to such former student athlete during the  
14 period that such former student athlete partici-  
15 pated on a varsity sports team of the institu-  
16 tion; and

17 (5) establish, not later than July 1, 2027, and  
18 thereafter maintain, at least 16 varsity sports teams.

19 (b) COLLABORATION.—An institution may carry out  
20 subsection (a) in conjunction with a conference or inter-  
21 state intercollegiate athletic association.

22 (c) APPLICABILITY.—An institution is described in  
23 this subsection if any member of the coaching staff of a  
24 varsity sports team of such institution earns more than  
25 \$250,000 in base salary annually (as adjusted on July 1

1 each year by the percentage increase (if any), during the  
2 preceding 12-month period, in the Consumer Price Index  
3 for All Urban Consumers published by the Bureau of  
4 Labor Statistics).

5 **SEC. 6. ROLES OF INTERSTATE INTERCOLLEGIATE ATH-**  
6 **LETIC ASSOCIATIONS.**

7 An interstate intercollegiate athletic association is au-  
8 thorized to establish and enforce rules with respect to—

9 (1) requiring a student athlete or prospective  
10 student athlete to disclose, in a timely manner, the  
11 terms of a name, image, and likeness agreement en-  
12 tered into by such student athlete;

13 (2) establishing and implementing a process to  
14 collect and publicly share aggregated and  
15 anonymized data related to the name, image, and  
16 likeness agreements of student athletes;

17 (3) prohibited compensation, including proc-  
18 esses for dispute resolution and penalties, if such  
19 rules provide that a student athlete does not lose eli-  
20 gibility to compete in intercollegiate athletic competi-  
21 tions while a process for dispute resolution is ongo-  
22 ing;

23 (4) setting parameters for the manner in which  
24 and the time period during which student athletes

1 and prospective student athletes may be recruited  
2 for intercollegiate athletics;

3 (5) calculating a pool limit, if such rules provide  
4 that such pool limit is at least 22 percent of the av-  
5 erage annual college sports revenue of the 70 highest  
6 earning (with respect to such revenue) member insti-  
7 tutions of such interstate intercollegiate athletic as-  
8 sociation (or, if such interstate intercollegiate ath-  
9 letic association has fewer than 70 members, the av-  
10 erage annual college sports revenue of all members),  
11 and monitoring payments of compensation related to  
12 such pool limit;

13 (6) setting parameters for the manner in which  
14 a student athlete may transfer between institutions,  
15 if such rules provide that—

16 (A) on at least 1 occasion each student  
17 athlete may transfer between institutions and  
18 be immediately eligible; and

19 (B) an institution to which a student ath-  
20 lete is transferring or is considering transfer-  
21 ring shall provide to such student athlete, at  
22 the request of such student athlete, in writing  
23 and at a reasonable time prior to completion of  
24 the transfer, a notice of the previously earned  
25 academic credits of such student athlete that

1           such institution will accept, including with re-  
2           spect to the program of study of such student  
3           athlete;

4           (7) the eligibility of a student athlete to partici-  
5           pate in intercollegiate athletics, such as rules with  
6           respect to the length of time a student athlete is eli-  
7           gible to compete and academic standards for eligi-  
8           bility;

9           (8) establishing and implementing a process for  
10          agent registration, including—

11                (A) setting parameters for the ability of  
12                member institutions to negotiate with agents  
13                who are not registered under such process; and

14                (B) limiting the amount of the compensa-  
15                tion under a name, image, and likeness agree-  
16                ment between a student athlete and an institu-  
17                tion that may be provided to the agent of such  
18                student athlete to not more than 5 percent of  
19                such compensation;

20          (9) the membership of, and participation in,  
21          such interstate intercollegiate athletic association,  
22          including any championships administered by such  
23          interstate intercollegiate athletic association, under  
24          which such interstate intercollegiate athletic associa-  
25          tion may establish membership qualifications, re-



1 move members, and otherwise regulate participation;  
2 and

3 (10) intercollegiate athletic competitions and  
4 playing seasons, including rules with respect to sea-  
5 son length, maximum number of contests, and stu-  
6 dent athlete time demands (whether during a play-  
7 ing season or outside of such season).

8 **SEC. 7. LIABILITY LIMITATION.**

9 Compliance with this Act and the adoption of, agree-  
10 ment to, compliance with, or enforcement of any rule, reg-  
11 ulation, requirement, standard, or other provision estab-  
12 lished pursuant to, or in compliance with, this Act shall  
13 be treated as lawful under the antitrust laws and any simi-  
14 lar State law, rule, regulation, requirement, standard, or  
15 other provision having the force and effect of law.

16 **SEC. 8. EMPLOYMENT STANDING.**

17 Notwithstanding any other provision of Federal or  
18 State law, no individual may be considered an employee  
19 of an institution, a conference, or an interstate intercolle-  
20 giate athletic association based on the participation of  
21 such individual on a varsity sports team or in an inter-  
22 collegiate athletic competition as a student athlete, with-  
23 out regard to the existence of rules or requirements for  
24 being a member of such team or for participating in such  
25 competition.

1 **SEC. 9. STUDENT ATHLETIC FEES.**

2 (a) TRANSPARENCY REQUIREMENTS.—

3 (1) INFORMATION DISSEMINATION ACTIVITIES.—Section 485(a)(1)(E) of the Higher Edu-  
4 cation Act of 1965 (20 U.S.C. 1092(a)(1)(E)) is  
5 amended by inserting “(including the amount of  
6 such fees used to support intercollegiate athletic pro-  
7 grams)” after “and fees”.

9 (2) DATA REQUIRED.—

10 (A) IN GENERAL.—Section 485(g) of the  
11 Higher Education Act of 1965 (20 U.S.C.  
12 1092(g)) is amended—

13 (i) in paragraph (1), by adding at the  
14 end the following:

15 “(K) With respect to fees charged to stu-  
16 dents to support intercollegiate athletic pro-  
17 grams—

18 “(i) the total amount of such fees  
19 charged to students;

20 “(ii) the uses of such fees with respect  
21 to facilities, operating expenses, scholar-  
22 ships, payments to athletes, salaries of  
23 coaches and support staff, and any other  
24 expenses reported under this paragraph;  
25 and

1 “(iii) the percentage of the total cost  
2 of such programs covered by such fees.”;  
3 and

4 (ii) in paragraph (3)—

5 (I) by striking the period at the  
6 end and inserting “; and”;

7 (II) by striking “that all stu-  
8 dents” and inserting the following:  
9 “that—

10 “(A) all students”; and

11 (III) by adding at the end the  
12 following:

13 “(B) with respect to the information de-  
14 scribed in paragraph (1)(K), the institution  
15 shall annually publish such information on a  
16 publicly available website of the institution not  
17 later than October 15 following the end of each  
18 fiscal year of the institution.”.

19 (B) EFFECTIVE DATE.—The amendments  
20 made by subparagraph (A) shall take effect and  
21 apply beginning on July 1, 2026.

22 (b) RESTRICTING STUDENT FEES FOR HIGH-MEDIA-  
23 RIGHTS-REVENUE INSTITUTIONS.—

24 (1) MEDIA RIGHTS REVENUES.—Section  
25 485(g)(1)(I)(ii) of the Higher Education Act of

1       1965 (20 U.S.C. 1092(a)(1)(I)(ii)) is amended by  
2       striking “broadcast revenues” and inserting “media  
3       rights revenues (including revenues from broad-  
4       casting, streaming, or digital distribution of inter-  
5       collegiate athletic events)”.

6           (2) PROGRAM PARTICIPATION AGREEMENTS.—  
7       Section 487(a) of the Higher Education Act of 1965  
8       (20 U.S.C. 1094(a)) is amended by adding at the  
9       end the following:

10           “(30) In the case of an institution that, for the  
11       most recently completed fiscal year, had annual  
12       media rights revenues (as described in section  
13       485(g)(1)(I)(ii)) of \$50,000,000 or more, the insti-  
14       tution will not, for the fiscal year immediately fol-  
15       lowing such fiscal year, use student fees to support  
16       intercollegiate athletic programs, including with re-  
17       spect to facilities, operating expenses (as defined in  
18       section 485(g)), scholarships, payments to athletes,  
19       salaries of coaches and support staff, and any other  
20       expenses reported under section 485(g)(1).”.

21           (3) EFFECTIVE DATE.—The amendments made  
22       by this subsection shall take effect and apply begin-  
23       ning on July 1, 2026.

1 **SEC. 10. PREEMPTION.**

2 No State, or political subdivision of a State, may  
3 maintain, enforce, prescribe, or continue in effect any law,  
4 rule, regulation, requirement, standard, or other provision  
5 having the force and effect of law that—

6 (1) governs or regulates the compensation, pay-  
7 ment, benefits, employment status, or eligibility of a  
8 student athlete (including a prospective student ath-  
9 lete) with respect to participation in intercollegiate  
10 athletics, including any law, rule, regulation, require-  
11 ment, standard, or other provision that relates to the  
12 right of a student athlete to receive compensation or  
13 other payments or benefits directly or indirectly  
14 from any institution, associated entity or individual,  
15 conference, or interstate intercollegiate athletic asso-  
16 ciation;

17 (2) limits or restricts a right provided to an in-  
18 stitution, a conference, or an interstate intercolle-  
19 giate athletic association under this Act;

20 (3) requires a release of or license to use the  
21 name, image, and likeness rights of any individual  
22 participant, or group of participants, in an inter-  
23 collegiate athletic competition (or an individual spec-  
24 tator or group of spectators at an intercollegiate  
25 athletic competition) for purposes of audio-visual,

- 1 audio, or visual broadcasts or other distributions of
- 2 such intercollegiate athletic competition; or
- 3 (4) is otherwise related to this Act.