

1                   **HOUSE OF REPRESENTATIVES - FLOOR VERSION**

2                   STATE OF OKLAHOMA

3                   1st Session of the 60th Legislature (2025)

4                   ENGROSSED SENATE  
BILL NO. 490

5                   By: Gollihare of the Senate

6                   and

7                   Lawson of the House

10                  An Act relating to the Student Athlete Name, Image  
11                  and Likeness Rights Act; amending 70 O.S. 2021,  
12                  Sections 820.23, as last amended by Section 1,  
13                  Chapter 85, O.S.L. 2024, 820.24, as amended by  
14                  Section 3, Chapter 315, O.S.L. 2023, and 820.25, as  
15                  last amended by Section 2, Chapter 85, O.S.L. 2024  
16                  (70 O.S. Supp. 2024, Sections 820.23, 820.24, and  
17                  820.25), which relate to compensation, professional  
18                  representation, and limitations on agreements and  
19                  contracts; modifying circumstances under which a  
20                  postsecondary institution or authorized third party  
21                  may provide certain representation or payment;  
22                  prohibiting use of state funds for certain payment;  
23                  construing provisions; prohibiting requirement of  
24                  release of or license to use certain name, image, and  
                       likeness rights for certain purposes; removing time  
                       limit for certain disclosure; authorizing revocation  
                       or rescission of certain agreement or commitment  
                       under certain circumstances; prohibiting liability  
                       for certain revocation or rescission; modifying terms  
                       for extension of certain contracts; updating  
                       statutory language; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

1 SECTION 1. AMENDATORY 70 O.S. 2021, Section 820.23, as  
2 last amended by Section 1, Chapter 85, O.S.L. 2024 (70 O.S. Supp.  
3 2024, Section 820.23), is amended to read as follows:

4 Section 820.23. A. ~~Except as otherwise provided in the Student~~  
5 ~~Athlete Name, Image and Likeness Rights Act, a~~ A student athlete may  
6 earn ~~compensation payments~~ for the use of the name, image, or  
7 likeness of the student athlete ~~while enrolled at a~~ or as otherwise  
8 permitted by a collegiate athletic association with authority over  
9 his or her postsecondary institution without penalty or resulting  
10 limitation on participation. ~~Compensation for the use of a student~~  
11 ~~athlete's name, image, or likeness~~ Such payments shall not affect  
12 the student athlete's eligibility for athletic grant-in-aid.

13 B. A postsecondary institution or a third party authorized to  
14 act on behalf of the postsecondary institution may provide:

15 1. Provide professional representation and ~~compensate pay~~ or  
16 cause ~~compensation payment~~ to be directed to a current or  
17 prospective student athlete ~~for his or her name, image, or likeness~~  
18 ~~if permitted by a collegiate athletics association, of which the~~  
19 ~~postsecondary institution is a member, and institutional policy as~~  
20 ~~permitted by the Student Athlete Name, Image and Likeness Rights~~  
21 ~~Act; provided, however, no postsecondary institution shall use funds~~  
22 ~~allocated by this state for such payment; and~~

1       2. Enter into exclusive or non-exclusive licenses or  
2       endorsement agreements for a student athlete's name, image, or  
3       likeness, institutional promotion, or other rights.

4           C. A collegiate athletic association shall not prohibit a  
5       postsecondary institution or a third party authorized to act on  
6       behalf of a postsecondary institution from identifying,  
7       facilitating, enabling, or supporting opportunities for a student  
8       athlete to earn ~~compensation~~ payment for the student athlete's name,  
9       image, or likeness activities.

10          D. The provisions of this section shall not be construed to  
11       qualify a student athlete as an employee of a postsecondary  
12       institution or a collegiate athletic association based on the  
13       student athlete's receipt of any payment or benefit permitted by  
14       this Act or one or more of the following:

15           1. Participation in intercollegiate athletic competition;  
16           2. Membership on any intercollegiate athletic team; or  
17           3. Imposition of requirements, controls, or restrictions on  
18       student athletes by postsecondary institutions, in connection with  
19       their participation in intercollegiate athletic activities,  
20       practices, and competition.

21           E. No release of or license to use a student athlete's name,  
22       image, or likeness rights, or a name, image, or likeness agreement,  
23       shall be required from or with any individual or group of  
24       participants in an intercollegiate athletic competition, contest, or

1    event, or spectators at a sports game, contest, or event, for audio-  
2    visual, audio, or visual broadcasts, rebroadcasts, or other  
3    distributions of such event.

4               SECTION 2.           AMENDATORY           70 O.S. 2021, Section 820.24, as  
5    amended by Section 3, Chapter 315, O.S.L. 2023 (70 O.S. Supp. 2024,  
6    Section 820.24), is amended to read as follows:

7               Section 820.24. A. 1. A student athlete may obtain  
8    professional representation for the purpose of securing ~~compensation~~  
9    payment for the use of his or her name, image, or likeness without  
10   ~~penalty, resulting limitation on participation,~~ or effect on the  
11   student-athlete's athletic grant-in-aid eligibility.

12              2. Any professional representation agreement shall:

- 13              a. be in writing,
- 14              b. be executed by both parties,
- 15              c. clearly describe the obligations of the parties, and
- 16              d. outline fees for the professional representation.

17              3. An individual or entity engaged for professional  
18   representation by a student athlete shall ensure the student athlete  
19   discloses the professional relationship to the postsecondary  
20   institution as required by this section.

21              B. A student athlete who enters into a contract providing  
22   ~~compensation payment~~ to the student athlete for use of his or her  
23   name, image, or likeness or for professional representation shall  
24   disclose the contract in a manner designated by the postsecondary

1 institution, but in any event within seventy-two (72) hours after  
2 entering into the contract or before the next athletic event in  
3 which the student athlete is eligible to participate, whichever  
4 occurs first.

5 C. A postsecondary institution may revoke or rescind any  
6 agreement or commitment to provide payment, a grant-in-aid, or other  
7 benefits to a student athlete who receives or agrees to receive  
8 payment not permitted by this Act or a collegiate athletic  
9 association with authority over the postsecondary institution and  
10 shall not be liable in damages or subjected to any injunctive relief  
11 by a court because of such revocation or rescission.

12 SECTION 3. AMENDATORY 70 O.S. 2021, Section 820.25, as  
13 last amended by Section 2, Chapter 85, O.S.L. 2024 (70 O.S. Supp.  
14 2024, Section 820.25), is amended to read as follows:

15 Section 820.25. A. A student athlete shall not use a  
16 postsecondary institution's marks for the purpose of securing  
17 compensation payment for use of his or her name, image, or likeness  
18 unless authorized by the postsecondary institution.

19 B. A student athlete shall not enter into a name, image, and  
20 likeness agreement involving a commercial product or service that  
21 conflicts with a written policy of the postsecondary institution or  
22 involves a commercial product or service that negatively impacts or  
23 reflects adversely on the postsecondary institution or its athletic  
24 programs including, but not limited to, generating public disrepute,

1      embarrassment, scandal, ridicule or otherwise negatively impacting  
2      the reputation or the moral or ethical standards of the  
3      postsecondary institution.

4            C. A contract for the use of a student athlete's name, image,  
5      or likeness or a contract for professional representation related to  
6      name, image, or likeness that is formed while the student athlete is  
7      participating in ~~an~~ intercollegiate ~~sport~~ athletics at a  
8      postsecondary institution may not extend beyond ~~the student~~  
9      ~~athlete's participation in the sport at the institution unless the~~  
10     ~~contract is between the student athlete and the postsecondary~~  
11     ~~institution or a third party authorized to act on behalf of the~~  
12     ~~postsecondary institution~~ his or her eligibility to participate in  
13     intercollegiate athletics; provided, however, if a postsecondary  
14     institution has licensed the right to use the name, image, or  
15     likeness of a student athlete to promote the postsecondary  
16     institution's academic or athletic program in content created while  
17     the student athlete is enrolled at the postsecondary institution,  
18     the postsecondary institution shall not be required to discontinue  
19     use of such name, image, or likeness rights, if and as permitted by  
20     the agreement with the student athlete, after the student athlete's  
21     eligibility has expired.

22            D. A postsecondary institution may adopt reasonable time,  
23      place, and manner restrictions to prevent a student athlete's name,  
24      image, or likeness activities from interfering with team activities,

1 the postsecondary institution's operations, or the use of the  
2 postsecondary institution's facilities. A postsecondary institution  
3 may receive compensation for the use of its institutional marks or  
4 facilities in conjunction with a student athlete's name, image, and  
5 likeness activities.

6 E. A collegiate athletic association shall not prohibit a  
7 postsecondary institution from establishing agreements with a third  
8 party to act on its behalf to identify, facilitate, enable, or  
9 support student athlete name, image, and likeness activities.

10 F. An A postsecondary institution may require a student athlete  
11 to take courses or receive education or training in contracts,  
12 financial literacy, or any other subject the postsecondary  
13 institution deems necessary to prepare a student athlete to engage  
14 in name, image, and likeness activities.

15 SECTION 4. It being immediately necessary for the preservation  
16 of the public peace, health or safety, an emergency is hereby  
17 declared to exist, by reason whereof this act shall take effect and  
18 be in full force from and after its passage and approval.

19  
20 COMMITTEE REPORT BY: COMMITTEE ON APPROPRIATIONS AND BUDGET, dated  
04/17/2025 - DO PASS.  
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