

A BILL TO BE ENTITLED

AN ACT

relating to prohibited student athlete name, image, and likeness agreements; providing injunctive relief and a civil penalty.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subtitle B, Title 13, Occupations Code, is amended by adding Chapter 2053 to read as follows:

CHAPTER 2053. NAME, IMAGE, AND LIKENESS AGREEMENTS

Sec. 2053.001. DEFINITION. In this chapter, "student athlete" means an individual who as a student participates in:

(1) a University Interscholastic League activity; or

(2) an intercollegiate athletic program at an institution of higher education.

Sec. 2053.002. PROHIBITED NAME, IMAGE, AND LIKENESS AGREEMENTS. A person may not enter into an agreement with a student athlete under which the person:

(1) pays the student athlete an amount as consideration;

(2) receives the exclusive right to negotiate the use or sale of the student athlete's name, image, and likeness for the term of the agreement; and

(3) is entitled to receive a percentage of earnings from the use or sale of the student athlete's name, image, and likeness until the earlier of:

(A) the date the person has received a

1 predetermined amount of the student athlete's earnings; or

2 (B) the date the agreement expires.

3 Sec. 2053.003. PROHIBITED AGREEMENTS VOID AND
4 UNENFORCEABLE. An agreement entered into in violation of Section
5 2053.002 or any language in an agreement that circumvents the
6 prohibition imposed under that section or otherwise achieves the
7 same or a substantially similar effect as a prohibited agreement is
8 void and unenforceable.

9 Sec. 2053.004. PROHIBITED WAIVER. An agreement may not
10 waive the requirements of this chapter. A purported waiver of this
11 chapter is a violation of this section and is void.

12 Sec. 2053.005. CIVIL PENALTY; INJUNCTIVE RELIEF. (a) A
13 person who violates this chapter is liable for a civil penalty not
14 to exceed \$100,000 for each violation.

15 (b) The attorney general may bring an action in the name of
16 this state to:

17 (1) recover a civil penalty under Subsection (a);

18 (2) restrain or enjoin the person from violating this
19 chapter; or

20 (3) recover the civil penalty under Subsection (a) and
21 seek injunctive relief.

22 (c) The attorney general may recover reasonable attorney's
23 fees and court costs in bringing an action under this section.

24 SECTION 2. Chapter 2053, Occupations Code, as added by this
25 Act, applies only to an agreement entered into on or after the
26 effective date of this Act.

27 SECTION 3. This Act takes effect September 1, 2025.