

By: Tepper

H.B. No. 3220

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the compensation and professional representation of
3 prospective student athletes and student athletes participating in
4 intercollegiate athletic programs at certain institutions of
5 higher education.

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

7 SECTION 1. Sections 51.9246(c) and (g), Education Code, are
8 amended to read as follows:

9 (c) An institution to which this section applies may not ~~(+)~~
10 ~~[(1)]~~ adopt or enforce a policy, requirement,
11 standard, or limitation that prohibits or otherwise prevents a
12 student athlete participating in an intercollegiate athletic
13 program at the institution from:

14 (1) ~~[(A)]~~ earning compensation for the use of the
15 student athlete's name, image, or likeness when the student athlete
16 is not engaged in official team activities, as that term is defined
17 by the institution; or

18 (2) ~~[(B)]~~ obtaining professional representation,
19 including representation by an attorney licensed to practice law in
20 this state, for contracts or other legal matters relating to the use
21 of the student athlete's name, image, or likeness ~~[, or~~

22 ~~[(2)] provide or solicit a prospective student athlete~~
23 ~~of an intercollegiate athletic program at the institution with~~
24 ~~compensation in relation to the prospective student athlete's name,~~

1 ~~image, or likeness~~].

2 (g) A student athlete participating in an intercollegiate
3 athletic program at an institution to which this section applies:

4 (1) shall, before entering into the contract, disclose
5 to the institution, in the manner prescribed by the institution,
6 any proposed contract the student athlete may sign for use of the
7 student athlete's name, image, or likeness;

8 (2) may not enter into a contract for the use of the
9 student athlete's name, image, or likeness if:

10 (A) any provision of the contract conflicts with
11 a provision of the student athlete's team contract, a provision of
12 an institutional contract of the institution, a policy of the
13 athletic department of the institution, or a provision of the honor
14 code of the institution;

15 (B) the compensation for the use of the student
16 athlete's name, image, or likeness is provided:

17 (i) in exchange for athletic performance
18 ~~[or accepting an offer of admission to attend the institution,~~

19 ~~[(ii) by the institution,~~

20 ~~[(iii) in exchange for an act that occurs
21 while the athlete is engaged in an official team activity]; or~~

22 (ii) ~~[(iv)]~~ in exchange for an endorsement
23 of alcohol, tobacco products, e-cigarettes or any other type of
24 nicotine delivery device, anabolic steroids, sports betting,
25 casino gambling, a firearm the student athlete cannot legally
26 purchase, or a sexually oriented business as defined in Section
27 [243.002](#), Local Government Code; or

1 (C) the duration of the contract extends beyond
2 the student athlete's participation in the intercollegiate
3 athletic program;

4 (3) is not considered an employee of the institution
5 based on the student athlete's participation in the intercollegiate
6 athletic program;

7 (4) may earn compensation from selling the student
8 athlete's autograph in a manner that does not otherwise conflict
9 with a provision of this section; and

10 (5) may not use an institution's facility, uniform,
11 registered trademark, copyright-protected product, or official
12 logo, mark, or other indicia in connection with a contract for the
13 use of the student athlete's name, image, or likeness unless the
14 student athlete obtains the institution's express permission.

15 SECTION 2. Sections [51.9246\(g-1\)](#) and (j), Education Code,
16 are repealed.

17 SECTION 3. The changes in law made by this Act apply only to
18 a contract for the use of a student athlete's name, image, or
19 likeness entered into on or after the effective date of this Act. A
20 contract for the use of a student athlete's name, image, or likeness
21 entered into before the effective date of this Act is governed by
22 the law as it existed immediately before the effective date of this
23 Act, and that law is continued in effect for that purpose.

24 SECTION 4. This Act takes effect immediately if it receives
25 a vote of two-thirds of all the members elected to each house, as
26 provided by Section [39](#), Article III, Texas Constitution. If this
27 Act does not receive the vote necessary for immediate effect, this

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1 Act takes effect September 1, 2025.