

HOUSE No. 1930

The Commonwealth of Massachusetts

PRESENTED BY:

Francisco E. Paulino

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act empowering student-athletes through NIL rights.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Francisco E. Paulino</i>	<i>16th Essex</i>	<i>1/15/2025</i>

HOUSE No. 1930

By Representative Paulino of Methuen, a petition (accompanied by bill, House, No. 1930) of Francisco E. Paulino relative to NIL rights for student-athletes. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Fourth General Court
(2025-2026)**

An Act empowering student-athletes through NIL rights.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Definitions

2 As used in this act, unless the context clearly requires otherwise:

3 "Student-athlete": An individual who engages in, is eligible to engage in, or has been
4 recruited to engage in intercollegiate athletics for an institution of higher education in the
5 Commonwealth.

6 "Institution of higher education": Any public or private college, university, or other post-
7 secondary educational institution located in the Commonwealth.

8 "Name, image, or likeness (NIL)": A student-athlete's identifiable attributes, including
9 but not limited to their name, image, voice, photograph, signature, or likeness, used for
10 promotional or commercial purposes.

11 "Athlete agent": A person who, for compensation or the promise of compensation,
12 provides professional representation to student-athletes in connection with NIL agreements,
13 contracts, or endorsements.

14 "NIL agreement": A written or oral agreement under which a student-athlete receives
15 compensation for the authorized use of their NIL.

16 "Group licensing": Agreements or arrangements that involve multiple student-athletes
17 licensing their NIL collectively for commercial purposes.

18 SECTION 2. Rights of Student-Athletes

19 A student-athlete may earn compensation for the use of their NIL. Such compensation:

20 (a) Shall not affect the student-athlete's scholarship eligibility or participation in
21 athletics; and

22 (b) Shall not be contingent upon athletic performance or enrollment at a specific
23 institution.

24 Institutions of higher education and athletic associations:

25 (a) Shall not prevent or restrict a student-athlete from earning compensation for NIL;

26 (b) Shall not provide direct compensation to a student-athlete for NIL use; and

27 (c) May assist student-athletes in understanding compliance requirements and applicable
28 laws.

29 Group licensing arrangements involving student-athletes shall be permitted, provided
30 such arrangements comply with this act and do not infringe on individual NIL rights.

31 A student-athlete may enter a professional sports draft without forfeiting eligibility to
32 participate in intercollegiate athletics, provided they do not sign a professional contract.

33 SECTION 3. Institutional Responsibilities

34 Institutions shall designate an NIL compliance officer or equivalent resource, scaled to
35 their size and capacity, to manage disclosures and ensure agreements align with institutional and
36 NCAA policies.

37 Institutions must:

38 (a) Notify student-athletes of any conflicts between NIL agreements and team contracts
39 within five (5) business days of disclosure;

40 (b) Provide clear guidelines on permissible NIL activities, including how they align with
41 NCAA and conference rules;

42 (c) Offer or partner with external organizations to provide optional legal and financial
43 advisory services for student-athletes.

44 Smaller institutions may apply for state-provided resources, including training and
45 financial support, to meet compliance and educational requirements under this act.

46 Institutions may not:

47 (a) Use NIL agreements to gain a competitive advantage in recruiting or retaining
48 student-athletes;

49 (b) Force student-athletes to participate in group licensing arrangements.

50 SECTION 4. NIL Agreements and Disclosure

51 Student-athletes must disclose NIL agreements to their institution's designated
52 compliance officer within seventy-two (72) hours of signing or before participating in the next
53 athletic event, whichever occurs first.

54 NIL agreements must include:

55 (a) The scope of NIL rights being licensed;

56 (b) The duration of the agreement;

57 (c) Compensation details, including method and timing of payment;

58 (d) A cancellation or termination clause;

59 (e) A statement confirming the agreement does not conflict with existing team contracts.

60 Group licensing agreements must specify:

61 (a) How compensation will be distributed among participants;

62 (b) Opt-in provisions for individual student-athletes;

63 (c) Protections for student-athletes who choose not to participate.

64 SECTION 5. Athlete Agent Regulation

65 Athlete agents must register with the Commonwealth through a process overseen by the
66 Office of the Secretary of State.

67 (a) Applications shall include disclosure of prior disciplinary actions, NIL-related
68 activities, and relationships with current or former student-athletes.

69 (b) Registrations must be renewed every two years, with updated disclosures provided.

70 Athlete agents are prohibited from:

71 (a) Offering gifts, inducements, or other benefits to influence a student-athlete's decision
72 to sign;

73 (b) Making false or misleading statements about potential NIL opportunities;

74 (c) Using agreements that lack transparency or fail to comply with this act.

75 Agent fees for NIL agreements may not exceed 15% of gross compensation received by
76 the student-athlete under the agreement.

77 Agents must provide student-athletes with a plain-language summary of all agreements,
78 including terms of compensation, services provided, and duration.

79 Violations by athlete agents shall result in:

80 (a) Fines up to \$100,000 per violation;

81 (b) Suspension or revocation of registration;

82 (c) Civil liability for damages suffered by the student-athlete.

83 SECTION 6. Privacy and Public Records

84 NIL agreements and related disclosures submitted to institutions or state agencies are
85 exempt from public records laws and shall not be disclosed without the written consent of the
86 student-athlete.

87 Institutions must implement safeguards to ensure the confidentiality of NIL-related
88 materials.

89 SECTION 7. Education and Training

90 Institutions shall provide annual training for student-athletes on NIL-related topics,
91 including:

92 (a) Contract negotiation;

93 (b) Financial literacy and tax compliance;

94 (c) Branding, intellectual property, and group licensing rights.

95 Institutions may partner with external organizations to provide workshops and resources
96 for student-athletes.

97 SECTION 8. Enforcement

98 The Massachusetts Attorney General shall oversee compliance and enforcement of this
99 act, with the authority to:

100 (a) Investigate complaints and alleged violations within sixty (60) days of filing;

101 (b) Impose penalties, fines, and corrective actions on agents, institutions, or third parties
102 that violate this act;

103 (c) Provide guidance to institutions and student-athletes on compliance.

104 Penalties for violations include:

105 (a) Fines up to \$250,000 for institutions engaging in prohibited conduct;

106 (b) Revocation of privileges for repeat violators;

107 (c) Civil actions initiated by student-athletes for damages, including attorneys' fees.

108 SECTION 9. Implementation Task Force

109 A state advisory task force shall be established to oversee the implementation of this act,
110 composed of representatives from:

111 (a) Higher education institutions;

112 (b) Student-athlete advocacy groups;

113 (c) The Attorney General's office.

114 The task force shall provide annual reports to the legislature on implementation progress
115 and recommend future updates.

116 SECTION 10. Severability

117 If any provision of this act or its application is held invalid, the remaining provisions
118 shall remain in full force and effect.

119 SECTION 11. Effective Date

120 This act shall take effect on July 1, 2027.