

A PROPOSED RESOLUTION

26-175

IN THE COUNCIL OF THE DISTRICT OF COLUMBIA

To declare the existence of an emergency with respect to the need to amend section 215 of the Uniform College Athlete, Name, Image, or Likeness Act of 2022, to permit an institution, conference, or athletic association to assist a college athlete in selecting, arranging for, or providing payment to a name, image, or likeness agent and in selecting, arranging for, or collecting payment from a third party engaged in specific name, image, or likeness agreements with college athletes, and to remove the prohibition prohibiting institutions or conferences from providing compensation to a college athlete for the athlete's name, image, or likeness.

RESOLVED, BY THE COUNCIL OF THE DISTRICT OF COLUMBIA, That this resolution may be cited as the "Uniform College Athlete Name, Image, or Likeness Declaration Resolution of 2025."

Sec. 2. (a) On March 1, 2021, "Omnibus Uniform Athlete Agent and College Athlete Name, Image, or Likeness Amendment Act of 2022" was introduced by Chairman Phil Mendelson at the request of the Uniform Law Commission. The purpose of the legislation was to regulate student-athlete compensation for their name, image, and likeness and to update the Uniform Athlete Agents Act. The Council adopted this legislation on February 23, 2023.

(b) Now the District's Uniform Law Commissioners propose an amendment to section 215 of the Uniform College Athlete Name, or Likeness Act of 2022 (D.C. Law 24-0245; D.C. Official

38 Code§ 38-1631.05). The amendment would authorize institutions, athletics conferences, and
39 associations to assist college athletes in selecting, coordinating, or compensating a name, image,
40 or likeness (NIL) agent. Additionally, the bill eliminates the current prohibition that prevents
41 institutions or conferences from providing direct compensation to college athletes for their name,
42 image, or likeness.

43 (c) On April 18, 2024, the NCAA amended its Bylaws to expand the permissible role of
44 institutions in supporting student athlete NIL activities. The hearing for final approval for the
45 *House* settlement litigation related to student athlete NIL rights was scheduled for April 7, 2025;
46 however, U.S. District Judge Claudia Wilkens expressed concerns regarding the settlement's
47 impact on current athletes and has delayed final approval, requesting revisions to address these
48 issues. The parties involved have until May 7, 2025, to submit revised terms that address the
49 court's concerns. The NCAA Bylaws are set to go into effect on July 1, 2025. These
50 developments broaden the scope of activities that educational institutions may undertake to
51 support college athletes in monetizing for NIL.

52 (d) Emergency legislation is necessary to align District law with the current NCAA
53 framework and national legal landscape before the start of the next school year, this August,
54 which will ensure that the institutions and college athletes in the District are not placed at a
55 competitive disadvantage.

56 Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute
57 emergency circumstances, making it necessary that the Uniform College Athlete Name, Image,
58 or Likeness Declaration Resolution of 2025 be adopted on an emergency basis.

59 Sec. 4. This resolution shall take effect immediately.