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Chairman Phil Mendelson

A PROPOSED RESOLUTION

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 Emergency Declaration Resolution of 2025."

Sec. 2. (a) On March 1, 2021, Chairman Phil Mendelson, at the request of the Uniform Law Commission, introduced the Omnibus Uniform Athlete Agent and College Athlete Name, Image, or Likeness Amendment Act of 2022, which contained the Uniform College Athlete Name, Image, or Likeness Act of 2022 in Title II. The purpose of the legislation was to regulate student-athlete compensation for the use of an athlete’s name, image, or likeness and to update the District’s regulations of athlete agents. 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, Image, or Likeness Act of 2022, effective February 23, 2023 (D.C. Law 24-245; D.C. Official Code § 38-1631.05). The amendment would authorize institutions, athletic conferences, and athletic associations to assist college athletes in certain activities related to the monetization of their name, image, or likeness (“NIL”), including selecting an NIL agent. Additionally, the bill eliminates the current prohibition that prevents institutions or conferences from providing direct compensation to college athletes for the use of their names, images, or likenesses.

(c) On April 18, 2024, the NCAA amended its bylaws to expand the permissible role of institutions in supporting student athlete NIL activities. The NCAA bylaws are set to go into effect on July 1, 2025, pending court approval of a settlement agreement in *House v. NCAA*. These developments broaden the scope of activities that educational institutions may undertake to support college athletes in monetizing for NIL.

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

(e) In 2024, the Board of Ethics and Government Accountability issued a rulemaking adding 47 new boards and commissions to the public financial disclosure requirements. While this might be reasonable, the mostly volunteer members of these boards and commissions were unaware until now, and members of some boards may not want to continue their service if subject to public financial disclosure.

(f) Applicability of the new requirements should be paused until the end of the year, so that Council committees may work with affected boards and commissions, as well as BEGA, to better understand the rationale behind the new requirements and whether other forms of disclosure may be more appropriate.

(g) Emergency action is warranted because the BEGA public disclosures are due on May 15, 2025.

Sec. 3. The Council determines that the circumstances enumerated in section 2 constitute emergency circumstances, making it necessary that the Uniform College Athlete Name, Image, or Likeness Emergency Amendment Act of 2025 be adopted after a single reading.

Sec. 4. This resolution shall take effect immediately.