

ONE HUNDRED EIGHTH LEGISLATURE - SECOND SESSION - 2024
COMMITTEE STATEMENT
LB1393

Hearing Date: Monday February 12, 2024
Committee On: Business and Labor
Introducer: Hansen
One Liner: Change provisions of the Nebraska Student-Athlete Name, Image, or Likeness Rights Act

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	5	Senators Halloran, Hansen, Ibach, McKinney, Riepe
Nay:	1	Senator Blood
Absent:		
Present Not Voting:	1	Senator Hunt

Testimony:

Proponents:

Senator Ben Hansen
Jim Pillen
Jonathan Bateman
Nick Henrich
Scott Thomas

Representing:

Opening Presenter
Governor
University of Nebraska-Lincoln Athletics Department
University of Nebraska-Lincoln Athletics Department
Village In Progress

Opponents:

Representing:

Neutral:

Representing:

* ADA Accommodation Written Testimony

Summary of purpose and/or changes:

LB 1393 proposes amendments to the Nebraska Student Athlete Name, Image, or Likeness Rights Act (NIL) allowing Nebraska's postsecondary institutions to be more directly involved with regards to NIL activities.

Section 1 would amend 48-3602 to include definition of name, image, or likeness activity.

Section 2 would amend 48-3603 to expand provisions to include a student-athlete's intention to earn compensation.

This section creates a provision that no postsecondary institution should be prohibited from creating/supporting a student-athletes NIL activities or entering in with a third-party to create/support those activities. Additionally, no third-party should be prohibited from



communicating with a student-athlete to create/support NIL activities, compensating a student-athlete for use of the student-athletes NIL reputation, or compensating the student-athlete for promoting an event or the post-secondary institution the student-athlete attends.

This section allows for the student-athlete to be compensated for NIL activities as well as their athletic reputation and removes a provision restricting payment for contracts from the postsecondary institution or postsecondary institution's employees. Compensation must be permitted or authorized by a collegiate athletics association and postsecondary institution policy, a court order, or settlement agreement.

This section prohibits a student-athlete from entering into a contract/agreement related to their NIL rights or athletic reputation or engaging in NIL activities for products, services, etc. that are inconsistent with the postsecondary institution's educational mission.

Finally, this section states the student-athletes NIL compensation agreement cannot be construed as being an employment agreement between the student and the postsecondary institution.

Section 3 would amend 48-3604 prohibiting the postsecondary institution from disclosing any information regarding the NIL contract or proposed NIL contractual agreement between the student-athlete and postsecondary institution.

Section 4 would amend 48-3606 to further expand a student-athletes name, image, or likeness also includes likeness rights and athletic reputation.

Section 5 would amend 48-3608, stating no employee of the postsecondary institution can be found liable for damages to a student-athlete's ability to earn compensation related to NIL, resulting from decision and actions routinely taking in the course of intercollegiate athletics.

Section 6 is a severability clause.

Section 7 is repealer information.

Section 8 is an emergency clause.

Merv Riepe, Chairperson

