
A BILL FOR AN ACT

RELATING TO STUDENT-ATHLETE COMPENSATION.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

1 SECTION 1. The legislature finds that national changes in
2 college athletics resulting from the settlement in the *House, et*
3 *al. v. National Collegiate Athletic Association, et al.*
4 litigation and subsequent National Collegiate Athletic
5 Association rule revisions now permit institutions of higher
6 education to provide direct financial compensation to
7 student-athletes for use of their name, image, and likeness.

8 The legislature further finds that more than thirty states
9 have enacted name, image, and likeness laws, many of which were
10 adopted prior to the House settlement and are now being amended
11 to reflect the rapidly changing environment. Hawaii, which has
12 not enacted a comprehensive name, image, and likeness statute,
13 is positioned to establish a modern, flexible framework to
14 protect student-athletes, ensure compliance with Title IX, and
15 promote transparency and accountability when public resources
16 are involved.



1 The legislature further finds that the scope and scale of
2 name, image, and likeness activity vary across campuses and
3 athletic divisions within the university of Hawaii system, and
4 that institutional reporting and administrative requirements
5 established under this Act are intended to apply in a manner
6 proportionate to the level of institutional name, image, and
7 likeness activity present at a given campus.

8 Accordingly, the purpose of this Act is to establish a
9 statewide name, image, and likeness framework for compensating
10 student-athletes at the university of Hawaii that:

- 11 (1) Affirms student-athletes' right to engage in name,
12 image, and likeness activities;
- 13 (2) Requires the university of Hawaii to adopt policies
14 governing institutional name, image, and likeness
15 agreements and other aspects of name, image, and
16 likeness activity consistent with federal law,
17 National Collegiate Athletic Association rules, and
18 Title IX;
- 19 (3) Ensures transparency and accountability in the
20 administration of institutional name, image, and
21 likeness programs; and



1 (4) Provides basic protections and educational support for
2 student-athletes who enter name, image, and likeness
3 agreements.

4 The legislature intends for the implementation and
5 effectiveness of this Act to be reviewed during the regular
6 session of 2029, prior to this Act's repeal date of June 30,
7 2030. At that time, the legislature should determine whether
8 this Act shall be made permanent and whether amendments to this
9 Act are necessary.

10 SECTION 2. Chapter 304A, Hawaii Revised Statutes, is
11 amended by adding a new subpart to part II to be appropriately
12 designated and to read as follows:

13 " . Student-Athletes; Name, Image, and Likeness

14 **§304A- Definitions.** As used in this section, unless
15 the context clearly requires otherwise:

16 "Institutional name, image, and likeness agreement" means
17 any agreement through which the university provides financial
18 compensation or other benefits to a student-athlete for the use
19 of the student-athlete's name, image, or likeness.

20 "Intercollegiate athletics governing body" refers to the
21 National Collegiate Athletic Association or any successor



1 organization that serves as the regulating authority for the
2 intercollegiate athletic programs in which the university
3 participates.

4 "Name, image, and likeness activity" means any activity
5 through which a student-athlete receives financial compensation
6 or other benefits for the use of the student-athlete's name,
7 image, or likeness.

8 "Student-athlete" means an individual who is enrolled at a
9 campus of the university and participates in intercollegiate
10 athletics.

11 "Third-party name, image, and likeness agreement" means a
12 name, image, and likeness agreement between a student-athlete
13 and a person or entity other than the university.

14 "Title IX" refers to the federal Education Amendments
15 of 1972, codified as title 20 United States Code section 1681
16 et seq.

17 "University" means the university of Hawaii.

18 **§304A- Rights of student-athletes.** (a) A
19 student-athlete may earn compensation for name, image, and
20 likeness activities consistent with this subpart, federal law,
21 and applicable intercollegiate athletics governing body rules.



5 (c) The university, an athletic conference, or an
6 intercollegiate athletics governing body shall not prevent or
7 unduly restrict a student-athlete from engaging in name, image,
8 and likeness activities except as necessary to comply with;

9 (1) Federal or state law:

10 (2) Rules adopted by an intercollegiate athletics

11 governing body in response to the court-approved

12 settlement in *House, et al. v. National Collegiate*

14 intercollegiate athletics governing body after the

15 effective date of this section; or

16 (3) Reasonable and neutral university policies relating to
17 conflicts of interest, time commitments, or prohibited
18 industries.

19 §304A- University obligations and protections. (a)

20 The university shall adopt and periodically update written
21 policies governing:





§304A- Name, image, and likeness disclosure and

10 reporting. (a) A student-athlete shall disclose to the
11 university any third-party name, image, and likeness agreement
12 with compensation valued at \$600 or more; provided that, if an
13 alternative threshold is established by applicable
14 intercollegiate athletics governing body rules or federal law,
15 the university may designate that alternative threshold as the
16 payment threshold for purposes of this section.

17 (b) The university shall maintain a confidential internal
18 system for receiving and reviewing disclosures for compliance
19 with this subpart and rules and policies adopted pursuant to
20 this subpart. Review of disclosures shall be for purposes of
21 institutional awareness and compliance with state law and shall



1 not be construed as an assumption of primary enforcement
2 authority over intercollegiate athletics governing body rules.

3 (c) Beginning with the regular session of 2028, the
4 university shall submit an annual report to the legislature no
5 later than twenty days prior to the convening of each regular
6 session. The report shall include, for the preceding completed
7 academic year:

8 (1) The total value of institutional name, image, and
9 likeness agreements that are funded with state
10 resources, disaggregated by team and by gender but not
11 by individual student-athlete;

12 (2) A high-level, aggregate summary of third-party name,
13 image, and likeness agreements disclosed to the
14 university, to the extent that name, image, and
15 likeness activity implicates institutional programs,
16 facilities, or compliance obligations;

17 (3) A description of name, image, and likeness
18 activity-related compliance measures implemented,
19 including education programs;





- (1) Enters into one or more institutional name, image, and likeness agreements; or.
- (2) Administers, facilitates, or oversees name, image, and likeness activity disbursements or benefits pursuant to university policy.

§304A- Construction. Nothing in this subpart shall be

7 construed to:

- (1) Create an employment relationship between a student-athlete and the university;
- (2) Restrict the university from entering into institutional name, image, and likeness agreements consistent with intercollegiate athletics governing body rules; or
- (3) Limit the university's authority to adopt policies governing conflicts of interest, team rules, or academic requirements.

§304A- Rules. The university may adopt rules pursuant

18 to chapter 91 necessary to implement this subpart."

19 SECTION 3. There is appropriated out of the general

20 revenues of the State of Hawaii the sum of \$ or so



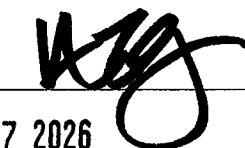
1 much thereof as may be necessary for fiscal year 2026-2027 to
2 carry out the purposes of this Act.

3 The sum appropriated shall be expended by the university of
4 Hawaii for the purposes of this Act.

5 SECTION 4. This Act does not affect rights and duties that
6 matured, penalties that were incurred, and proceedings that were
7 begun before its effective date.

8 SECTION 5. This Act shall take effect on July 1, 2026, and
9 shall be repealed on June 30, 2030.

10

INTRODUCED BY: 

JAN 27 2026



H.B. NO. 2384

Report Title:

UH; Student-Athletes; Compensation; NIL; Policies; Protections; Educational Support; Appropriation

Description:

Affirms student-athletes' rights to engage in name, image, and likeness activities for compensation. Requires the University of Hawaii to adopt policies governing institutional name, image, and likeness agreements and other aspects of name, image, and likeness activity consistent with federal law, rules by an intercollegiate athletics governing body such as the National Collegiate Athletic Association, and Title IX. Establishes certain transparency and accountability requirements in the administration of institutional name, image, and likeness activities. Provides protections and educational support for student-athletes who enter into name, image, and likeness agreements. Appropriates moneys. Sunsets 6/30/2030.

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

