

Honolulu, Hawaii

MAY 06 2026

RE: S.B. No. 3263
S.D. 2
H.D. 3
C.D. 1

Honorable Ronald D. Kouchi
President of the Senate
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Honorable Nadine K. Nakamura
Speaker, House of Representatives
Thirty-Third State Legislature
Regular Session of 2026
State of Hawaii

Sir and Madam:

Your Committee on Conference on the disagreeing vote of the Senate to the amendments proposed by the House of Representatives in S.B. No. 3263, S.D. 2, H.D. 3, entitled:

"A BILL FOR AN ACT RELATING TO THE UNIVERSITY OF HAWAII,"

having met, and after full and free discussion, has agreed to recommend and does recommend to the respective Houses the final passage of this bill in an amended form.

The purpose of this measure is to:

- (1) Affirm student-athletes' rights to engage in name, image, and likeness activities for compensation;
- (2) Require 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;



- (3) Require the University to provide independent advisors to student-athletes;
- (4) Establish certain transparency and accountability requirements in the administration of institutional name, image, and likeness activities;
- (5) Provide protections and educational support for student-athletes who enter into name, image, and likeness agreements; and
- (6) Sunset June 30, 2030.

Your Committee on Conference finds that recent changes in the rules governing collegiate athletics, including the authorization of name, image, and likeness (NIL) compensation, necessitate the creation of a sustainable funding stream and controlling framework to help the University of Hawaii remain competitive in recruiting and retaining student athletes and ensure student athletes are sufficiently protected. The governance framework established by this measure ensures compliance with the National Collegiate Athletic Association rules and supports accountability, long-term sustainability of the University's athletics program, and improved student athlete well-being.

Your Committee on Conference has amended this measure by:

- (1) Inserting language that allows student-athletes to:
 - (A) Retain professional representation, including a sports agent registered pursuant to chapter 481Z, Hawaii Revised Statutes, for the purpose of advising or representing the student-athlete in name, image, and likeness activities; and
 - (B) Seek advice from a parent, legal guardian, or other trusted individual of the student-athlete's choosing;
- (2) Deleting language that would have required the University of Hawaii to provide advisors to student-athletes to provide independent advice and assistance relating to institutional name, image, and likeness agreements and third-party name, image, and likeness agreements;
- (3) Inserting language that authorizes the University to make educational resources or advisory support available to



assist student-athletes in understanding name, image, and likeness agreements, including information related to contracts, taxes, and financial management;

- (4) Clarifying that nothing in this measure relating to the University's obligations and protections shall be construed to require a student-athlete to retain representation or advisory services;
- (5) Requiring an aggregate summary of name, image, and likeness agreements, disaggregated by value ranges, sport, and gender, that does not include personally identifiable information or specific contract terms, to be included in the required annual report from the University to the Legislature;
- (6) Inserting language establishing the Name, Image, and Likeness Endowment Fund and establishing fund requirements;
- (7) Requiring the Board of Regents to transfer \$4,000,000 from the University of Hawaii Tuition and Fees Special Fund to the Name, Image, and Likeness Endowment Fund;
- (8) Inserting a \$2,500,000 general fund appropriation for deposit into the Name, Image, and Likeness Endowment Fund;
- (9) Specifying that on June 30, 2030, any unencumbered and unexpended funds remaining in the Name, Image, and Likeness Endowment Fund shall lapse to the source of the funds;
- (10) Amending section 1 to reflect its amended purpose;
- (11) Making it effective upon its approval and making the appropriation section effective on July 1, 2026; and
- (12) Making technical, nonsubstantive amendments for the purposes of clarity and consistency.

As affirmed by the record of votes of the managers of your Committee on Conference that is attached to this report, your Committee on Conference is in accord with the intent and purpose of S.B. No. 3263, S.D. 2, H.D. 3, as amended herein, and recommends that it pass Final Reading in the form attached hereto as S.B. No. 3263, S.D. 2, H.D. 3, C.D. 1.



Respectfully submitted on behalf
of the managers:

ON THE PART OF THE HOUSE

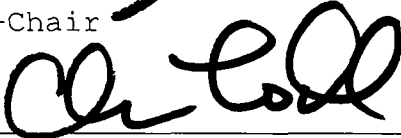
ON THE PART OF THE SENATE



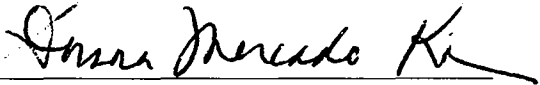
ANDREW TAKUYA GARRETT
Co-Chair



SCOT Z. MATNYOSHI
Co-Chair



CHRIS TODD
Co-Chair



DONNA MERCADO KIM
Chair



LYNN DECOITE
Co-Chair



TROY N. HASHIMOTO
Co-Chair



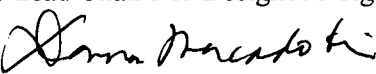
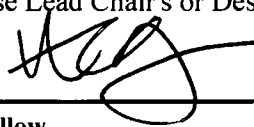
JARRETT KEOHOKALO
Co-Chair



Hawai'i State Legislature

Record of Votes of a Conference Committee

CLB 240-26

Bill / Concurrent Resolution No.: SB 3263, SD 2, HD 3					Date/Time: 5/1/24 5:54pm				
☒ The recommendation of the House and Senate managers is to pass with amendments (CD).									
☐ The Committee is reconsidering its previous decision.									
☐ The recommendation of the Senate Manager(s) is to AGREE to the House amendments made to the Senate Measure					☐ The recommendation of the House Manager(s) is to AGREE to the Senate amendments made to the House Measure.				
Senate Managers	A	WR	N	E	House Managers	A	WR	N	E
KIM, Donna Mercado, Chr.	/				GARRETT, Andrew Takuya, Co-Chr.	/			
DECOITE, Lynn, Co-Chr.				/	MATAYOSHI, Scot Z., Co-Chr.	/			
HASHIMOTO, Troy N., Co-Chr.	/				TODD, Chris, Co-Chr.	/			
KEOHOKALOLE, Jarrett, Co-Chr.	/				OLDS, Ikaika	/			/
DECORTE, Samantha	/				MURAOKA, Christopher L.	/			
TOTAL	4	0	0	1	TOTAL	4	0	0	1
A = Aye		WR = Aye with Reservations			N = Nay		E = Excused		
Senate Recommendation is:					House Recommendation is:				
☒ Adopted ☐ Not Adopted					☒ Adopted ☐ Not Adopted				
Senate Lead Chair's or Designee's Signature:					House Lead Chair's or Designee's Signature:				
									
Distribution: Original					Yellow				
File with Conference Committee Report					House Clerk's Office		Pink		Goldenrod
					Senate Clerk's Office		Drafting Agency		