THE SENATE
THIRTY-THIRD LEGISLATURE, 2026
STATE OF HAWAII

S.B. NO. 3263 S.D. 1

A BILL FOR AN ACT

RELATING TO THE UNIVERSITY OF HAWAII.

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

SECTION 1. The purpose of this Act is to create a sustainable, long-term, corpus-restricted revenue stream exclusively for a name, image, and likeness program administered by the university of Hawaii by establishing the name, image, and likeness endowment fund.

The legislature finds that the establishment of a name, image, and likeness endowment fund to compensate student athletes is a matter of statewide concern pursuant to article X, section 6, of the Hawaii State Constitution.

SECTION 2. Chapter 304A, Hawaii Revised Statutes, is amended by adding a new section to subpart E of part V to be appropriately designated and to read as follows:

"**§304A- Name, image, and likeness endowment fund; name, image, and likeness compensation program; requirements; annual report.** (a) There is established the name, image, and likeness endowment fund to be administered by the university of Hawaii to

compensate student athletes participating in the university of Hawaii's name, image, and likeness program.

(b) There shall be an initial corpus of not less than $10,000,000, which corpus shall be an endowment fund to provide a sustainable, long-term revenue stream for the university of Hawaii's name, image, and likeness program.

(c) Allocation of all, or any portion of, the corpus of the name, image, and likeness endowment fund shall be prohibited.

(d) The following may be deposited into the name, image, and likeness endowment fund:

(1) Funds appropriated by the legislature; provided that the university of Hawaii shall match this funding dollar-for-dollar from funds raised specifically and exclusively for name, image, and likeness;

(2) Revenues raised by university of Hawaii athletics specifically and exclusively for name, image, and likeness to compensate student athletes participating in the university's name, image, and likeness program; and

(3) Interest accrued on the corpus of the endowment fund.

(e) The university of Hawaii shall:

(1) Establish the criteria for a name, image, and likeness program to compensate student athletes from the endowment fund; and

(2) Develop a formula for distribution from the fund to compensate student athletes; provided that any compensation shall be made in consideration of the value of the student athlete's name, image, and likeness, including any exposure generated from the student athlete's name, image, and likeness.

(f) A student athlete who is compensated under this section shall retain an athlete agent registered with the director of commerce and consumer affairs pursuant to chapter 481Z, who shall represent the student athlete; provided that a student athlete's parent or legal guardian may represent the student athlete in areas agreed to by the student athlete.

(g) Any moneys in the endowment fund shall lapse to the general fund if compensation for name, image, and likeness is no longer authorized or the university of Hawaii is no longer operating a division I sports program in the National Collegiate Athletic Association.

(h) The university of Hawaii shall submit an annual report to the legislature no later than December 1 of each year, detailing:

(1) The amount of revenues raised for the name, image, and likeness endowment fund;

(2) The balance of the name, image, and likeness endowment fund;

(3) A list of student athletes compensated by the fund and the amount of compensation for each student athlete; and

(4) The formula used to determine the compensation amount."

SECTION 3. There is appropriated out of the general revenues of the State of Hawaii the sum of $ or so much thereof as may be necessary for fiscal year 2026-2027 to be deposited into the name, image, and likeness endowment fund established by this Act; provided that the university of Hawaii shall match this funding dollar-for-dollar from funds raised as of the effective date of this Act, specifically and exclusively for name, image, and likeness.

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

SECTION 4. New statutory material is underscored.

SECTION 5. This Act shall take effect on July 1, 2026.

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Report Title:
UH; Name, Image, and Likeness Endowment Fund; Corpus Restricted; Name, Image, and Likeness Program; Student Athletes; Representation; Annual Report; Appropriation

Description:
Establishes a Name, Image, and Likeness Endowment Fund to be administered by the University of Hawaii to compensate student athletes. Requires an initial corpus of a certain amount for the Name, Image, and Likeness Endowment Fund and requires interest to be deposited into the Fund. Prohibits the allocation of all, or any portion of, the corpus of the Name, Image, and Likeness Endowment Fund. Requires UH to establish a Name, Image, and Likeness Program. Requires UH to establish criteria for the Name, Image, and Likeness Program and a formula for the distribution of funds to student athletes. Requires student athletes being compensated for their name, image, and likeness to retain a registered athlete agent. Allows a student athlete's parent or legal guardian to represent the student athlete in areas agreed to by the student athlete. Requires UH to submit an annual report to the Legislature. Appropriates funds. (SD1)

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