

**SUBSTITUTE FOR  
HOUSE BILL NO. 4816**

A bill to prohibit high schools and certain athletic organizations from preventing high school student athletes in this state from receiving compensation from the use of their name, image, or likeness rights under certain circumstances and to establish standards for the exercise of these name, image, or likeness rights.

**THE PEOPLE OF THE STATE OF MICHIGAN ENACT:**

1           Sec. 1. This act may be cited as the "compensation of high  
2 school student athletes act".

3           Sec. 2. As used in this act:

4           (a) "Athletic association" means an entity that operates for  
5 the purpose of developing common rules for the eligibility and  
6 competition of high school student athletes in this state.



1 (b) "High school" means a nonpublic school or public school  
2 that offers at least 1 of grades 9 to 12.

3 (c) "Nonpublic school" means that term as defined in section 5  
4 of the revised school code, 1976 PA 451, MCL 380.5.

5 (d) "Public school" means that term as defined in section 5 of  
6 the revised school code, 1976 PA 451, MCL 380.5.

7 Sec. 3. (1) Except as otherwise provided in this act, a  
8 student athlete of a high school may earn compensation from the  
9 student athlete's use of the student athlete's name, image, and  
10 likeness rights under this act from activities such as commercials,  
11 product endorsements, personal appearances, autograph sessions,  
12 merchandise or apparel sales, group licensing, or acting as a  
13 social media influencer.

14 (2) A student athlete of a high school may not earn  
15 compensation from the student athlete's use of the student  
16 athlete's name, image, and likeness rights under this act from  
17 activities that involve, display, or endorse any of the following:

18 (a) An adult entertainment product or service.

19 (b) An alcohol product.

20 (c) A tobacco or electronic smoking product or device.

21 (d) A controlled substance.

22 (e) Any form of gambling, including, but not limited to,  
23 sports betting and horse racing.

24 (f) A weapon, firearm, or ammunition.

25 (g) A nutritional supplement.

26 Sec. 5. (1) A student athlete of a high school may not enter  
27 into a written agreement or contract with a third party to earn  
28 compensation from the student athlete's use of the student  
29 athlete's name, image, and likeness rights under this act if any of



1 the following apply:

2 (a) The third party is an entity that was formed for the  
3 express purpose of receiving or pooling funds to create or provide  
4 name, image, and likeness opportunities for student athletes.

5 (b) The agreement or contract is contingent on the student  
6 athlete's athletic performance or achievement.

7 (c) The agreement or contract requires the student athlete to  
8 miss school or instructional time to meet the obligations of the  
9 agreement or contract.

10 (2) In addition to any prohibition described in subsection  
11 (1), a student athlete of a high school shall not enter into an  
12 apparel contract with a third party to earn compensation from the  
13 student athlete's use of the student athlete's name, image, or  
14 likeness rights, if the contract requires the student athlete to  
15 display a sponsor's apparel, or otherwise advertise for a sponsor,  
16 during an official team activity.

17 Sec. 7. (1) A student athlete of a high school who intends to  
18 enter into a verbal or written opportunity or contract that would  
19 provide compensation to the student athlete for use of the student  
20 athlete's name, image, or likeness rights shall disclose the  
21 proposed opportunity or contract to an official of the Michigan  
22 High School Athletic Association, at least 7 days before committing  
23 to the opportunity or contract, for review by the Michigan High  
24 School Athletic Association.

25 (2) If the Michigan High School Athletic Association under  
26 subsection (1) identifies a conflict with the student athlete's  
27 proposed opportunity or contract, the Michigan High School Athletic  
28 Association shall communicate that conflict to the student athlete  
29 so that the student athlete may negotiate a revision of the



1 opportunity or contract to avoid the conflict, and that revision is  
2 subject to additional review and approval by the Michigan High  
3 School Athletic Association in accordance with this section.

4 (3) A policy of a high school's athletic program must not  
5 prevent a student athlete of the high school from receiving  
6 compensation for using the student athlete's name, image, or  
7 likeness rights for a commercial purpose when the student is not  
8 engaged in an official team activity, including participating in or  
9 being part of an advertisement that was created while not engaged  
10 in an official team activity but that may otherwise be broadcasted,  
11 displayed, or disseminated at any time.

12 (4) This section does not apply to a contract entered into,  
13 modified, or renewed on or before the effective date of this act.

14 Sec. 9. A high school shall not uphold any rule, requirement,  
15 standard, or other limitation that prevents a student of that high  
16 school from fully participating in high school athletics based on  
17 that student earning compensation from the student's use of the  
18 student's name, image, or likeness rights.

19 Sec. 11. A high school or any officer, director, or employee  
20 of the high school, including, but not limited to, a coach, a  
21 member of a coach staff, or any individual associated with the high  
22 school athletic department, shall not do any of the following  
23 relating to a student athlete's name, image, likeness rights, or  
24 athletic reputation:

25 (a) Identify or otherwise assist with opportunities for a  
26 student athlete to earn compensation from a third party.

27 (b) Serve as a student athlete's agent.

28 (c) Receive compensation from the student athlete or a third  
29 party for facilitating or enabling those opportunities.



1 (d) Attempt to influence the student athlete's high school of  
2 enrollment or choice of professional representation related to  
3 those opportunities.

4 (e) Attempt to reduce the student athlete's opportunities from  
5 competing third parties.

6 (f) Attend any meeting at which a contract for compensation  
7 from those opportunities is negotiated or completed between the  
8 student athlete and a third party.

9 Sec. 13. An athletic association, conference, or other group  
10 or organization with authority over high school athletics shall not  
11 do either of the following:

12 (a) Prevent a student of a high school from fully  
13 participating in high school athletics based on the student earning  
14 compensation from the student's use of the student's name, image,  
15 or likeness rights.

16 (b) Prevent a high school from fully participating in high  
17 school athletics without penalty based on a student of the high  
18 school's use of the student's name, image, or likeness rights.

19 Sec. 15. (1) A high school, athletic association, conference,  
20 or other group or organization with authority over high school  
21 athletics shall not do any of the following:

22 (a) Provide a student athlete of a high school or a  
23 prospective student athlete of a high school with compensation in  
24 relation to the student athlete's name, image, or likeness rights.

25 (b) Prevent a student athlete of a high school from obtaining  
26 professional representation in relation to contracts or legal  
27 matters regarding opportunities to be compensated, including, but  
28 not limited to, representation provided by an athlete agent or  
29 legal representation provided by an attorney.



1 (c) Prevent a student athlete of a high school from earning  
2 compensation from a third party as a result of the student's name,  
3 image, likeness rights, or athletic reputation, so long as the  
4 student's contract with the third party does not require the  
5 student to advertise for a sponsor in person during an official,  
6 mandatory team activity. As used in this subdivision,  
7 "compensation" includes food, shelter, medical expenses, insurance,  
8 cash, barter, free products, and discounts.

9 (2) As used in this section, "group" includes, but is not  
10 limited to, a booster club, a dad's club, or an athletic  
11 foundation.

12 Sec. 17. (1) A high school, athletic association, conference,  
13 or other group or organization with authority over high school  
14 athletics shall not interfere with or prevent a student from fully  
15 participating in high school athletics based on the student  
16 obtaining professional representation in relation to contracts or  
17 legal matters regarding the student's opportunities to earn  
18 compensation, including, but not limited to, representation  
19 provided by an athlete agent or financial advisor, or legal  
20 representation provided by an attorney.

21 (2) An athletic association, conference, or other group or  
22 organization with authority over high school athletics shall not  
23 prevent a high school from fully participating in high school  
24 athletics without penalty as a result of a student of the high  
25 school obtaining professional representation in relation to  
26 contracts or legal matters regarding the student's opportunities to  
27 earn compensation, including, but not limited to, representation  
28 provided by an athlete agent or financial advisor, or legal  
29 representation by an attorney.



1 (3) For purposes of this section, professional representation  
2 by an athlete agent, financial advisor, or attorney must be  
3 provided by persons licensed in this state, as applicable.

4 Sec. 19. A legal settlement arising under this act must not  
5 permit noncompliance with this act.

6 Sec. 21. (1) By December 31, 2024, and by December 31, 2025,  
7 any nonprofit trade association that represents high schools in  
8 this state shall provide to the department of education for each of  
9 those years, respectively, a written summary of any congressional  
10 action on legislation on student athlete name, image, and likeness  
11 compensation.

12 (2) By June 30, 2026, any nonprofit trade association that  
13 represents high schools in this state shall provide to the  
14 department of education a written summary of the preparedness of  
15 the association's respective member high schools in implementing  
16 this act.

17 Sec. 23. (1) This act does not require a high school, athletic  
18 association, conference, or other group or organization with  
19 authority over high school athletics to identify, create,  
20 facilitate, negotiate, or otherwise enable opportunities for a  
21 student athlete of a high school to earn compensation for the  
22 student's use of the student's name, image, or likeness rights.

23 (2) This act does not establish or bestow the right of a  
24 student to use the name, trademarks, services marks, logos,  
25 symbols, or any other intellectual property, whether registered or  
26 not, of a high school, athletic association, conference, or other  
27 group or organization with authority over high school athletics, in  
28 furtherance of the student's opportunities to earn compensation for  
29 the student's use of the student's name, image, or likeness rights.



1           (3) This act does not limit the right of a high school or  
2 athletic association to establish and enforce any of the following:

3           (a) Academic standards, requirements, regulations, or  
4 obligations for its students.

5           (b) Team rules of conduct or other rules of conduct.

6           (c) Standards or policies regarding the governance or  
7 operation of or participation in high school varsity athletics.

8           (d) Disciplinary rules and standards generally applicable to  
9 all students of the high school.

10          (e) Rules relating to amateur status that do not conflict with  
11 this act.

