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# OHIO LEGISLATIVE SERVICE COMMISSION

Office of Research  
and Drafting

Legislative Budget  
Office

H.B. 687  
135<sup>th</sup> General Assembly

## Bill Analysis

**Version:** As Introduced

**Primary Sponsor:** Rep. Stewart

Chris Edwards, Attorney

### SUMMARY

- Prohibits any person from entering into a contract with an intercollegiate athlete that compensates the athlete for the athlete's name, image, or likeness (NIL) if it remains in effect or requires the athlete to provide future compensation or rights associated with the use of the athlete's NIL after the athlete's intercollegiate athletic eligibility ends.
- Prohibits an athlete agent from entering into a fee agreement that requires an athlete to provide future compensation or rights associated with the use of the athlete's NIL after the athlete's intercollegiate athletic eligibility ends.
- Prohibits an athlete agent from entering into an agent contract under which the athlete agent represents an athlete in relation to contracts or legal matters regarding opportunities to earn compensation for use of the athlete's NIL if the agent contract remains in effect after the athlete's intercollegiate athletic eligibility ends.

### DETAILED ANALYSIS

#### Contracts with intercollegiate athletes

The bill prohibits persons and athlete agents from entering into certain types of contracts with an intercollegiate athlete that involve the use of the athlete's name, image, or likeness (NIL).

#### Contracts for use of an athlete's NIL

The bill prohibits any person from entering into a contract with an intercollegiate athlete that compensates the athlete for the use of the athlete's NIL if the contract:

- Remains in effect beyond the date the athlete is no longer eligible to participate in intercollegiate athletics; or
- Requires the athlete to provide as consideration:

- Any compensation the athlete may earn after the athlete is no longer eligible to participate in intercollegiate athletics for use of the athlete’s NIL; or
- Rights associated with the use of the athlete’s NIL after the athlete is no longer eligible to participate in intercollegiate athletics.

A contract entered into in violation of this prohibition is void.<sup>1</sup>

### **Athlete agent prohibitions**

The bill prohibits an athlete agent from entering into a fee agreement that requires an intercollegiate athlete to provide as consideration:

- Any compensation the athlete may earn after the athlete is no longer eligible to participate in intercollegiate athletics for use of the athlete’s NIL; or
- Rights associated with the use of the athlete’s NIL after the athlete is no longer eligible to participate in intercollegiate athletics.<sup>2</sup>

An athlete agent also cannot enter into an agent contract with an athlete under which the athlete agent represents the athlete in relation to contracts or legal matters regarding opportunities to earn compensation for use of the athlete’s NIL if the agent contract remains in effect beyond the date the athlete is no longer eligible to participate in intercollegiate athletics.<sup>3</sup> Under continuing law, any agent contract entered into in violation of this prohibition is void.<sup>4</sup>

An agent contract under continuing law is any contract under which an athlete authorizes an athlete agent to:

- Market, or enter an agreement to market, an athlete or an athlete’s reputation;
- Negotiate or solicit an agreement with a professional sports team for the athlete’s employment with the team; or
- Negotiate or solicit an agreement for the athlete’s employment as a professional athlete.<sup>5</sup>

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## **HISTORY**

Action	Date
Introduced	11-07-24

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<sup>1</sup> R.C. 3376.09.

<sup>2</sup> R.C. 4771.12.

<sup>3</sup> R.C. 4771.021.

<sup>4</sup> R.C. 4771.04, not in the bill.

<sup>5</sup> R.C. 4771.01, not in the bill.