

# Federal Name, Image, and Likeness Options Increase With New Senate Bill Proposal

Article By:

Gregg E. Clifton

---

As additional states move closer to joining the five states (California, Florida, New Jersey, Colorado and Nebraska) which have already enacted legislation granting name, image and likeness (NIL) rights to student-athletes and the NCAA moves closer to its anticipated January vote NIL rights, the number of proposed federal NIL's bills continues to grow as well.

**Senator Roger Wicker (R-Miss.), the current chair of the Senate Commerce, Science and Transportation Committee, has joined several other federal legislators by introducing a NIL bill.**

While Senator Wicker's "**Collegiate Athlete and Compensatory Rights Act**" would parallel other legislative efforts by permitting college athletes to earn compensation through commercial and endorsements deals, it follows fellow Republican Senator Marco Rubio's proposed legislation by offering the NCAA the anti-trust protection that it seeks in any potential federal NIL legislation.

Commenting on his legislation, Senator Wicker stated, "**A nationwide framework governing student athlete name, image, and likeness compensation is necessary to preserve competition, protect student athletes, and maintain the academic integrity of collegiate institutions.** My legislation would achieve this standard, and I am eager to see it advance."

Senator Wicker's bill would join current NIL proposals, the "**Student Athlete Level Playing Field Act**," co-introduced by Representative Anthony Gonzalez (R-Ohio), a former Ohio State University and NFL player, and Representative Emanuel Cleaver (D-Mo.) and Republican Senator Marco Rubio's "**The Fairness In Collegiate Athletics Act.**" However, as chairman of the Senate Commerce Committee, Senator Wicker may have a significant impact on any federal NIL legislation as it is assumed that any potential NIL bill will need to pass through his committee before it could ever become law.

In addition to the Rubio legislation and the Gonzalez-Cleaver bill, Senator Wicker's bill is expected to be joined by long anticipated partisan NIL legislation from Democratic Senators Cory Booker and

Richard Blumenthal. The “**College Athletes Bill of Rights**” is expected to propose similar NIL rights, as well as additional healthcare coverage and educational benefits for college athletes while directly opposing Senator Wicker’s bill by refusing to provide any type of anti-trust protection for the NCAA.

According to Senator Wicker, the highlights of his **Collegiate Athlete and Compensatory Rights Act** proposal, which would preempt all state NIL laws, would:

- Permit student athletes to earn compensation for the use of their name, image, or likeness, while restricting student-athletes from entering endorsement deals with several companies, including those associated with alcohol, tobacco, gambling or drugs.
- **Provide a mechanism for schools to protect existing agreements by preventing student-athletes from entering into agreements that conflict with institutional agreements, unless expressly waived;**
- Protect student athletes and their families from deceptive business practices or exploitation from unscrupulous actors;
- **Provide educational resources to student athletes regarding earning compensation for the use of their NIL;**
- Preserve amateurism by prohibiting institutions from classifying student athletes as employees and **prohibiting boosters from directly or indirectly paying student athletes and their families for the use of their NIL;**
- Prohibit third parties from entering into NIL agreements or offering NIL agreements to a student athlete prior to enrollment at an institution;
- Authorize the Federal Trade Commission (FTC) to select a private, independent, and nonprofit entity to be responsible for developing and administering NIL rules for student athletes, institutions, associations, certified sports agents, and others operating within the college sports ecosystem;
- Create a uniform, national framework for student athletes to be compensated for the commercial use of their NIL.

Jackson Lewis P.C. © 2025

---

National Law Review, Volume X, Number 347

Source URL: <https://natlawreview.com/article/federal-name-image-and-likeness-options-increase-new-senate-bill-proposal>