

HB 312 - AS INTRODUCED

2025 SESSION

25-0452

05/08

HOUSE BILL **312**

AN ACT relative to the right of intercollegiate student-athletes to earn compensation through the use of their name, image, or likeness.

SPONSORS: Rep. Moffett, Merr. 4; Rep. Cambrils, Merr. 4; Rep. Coker, Belk. 2; Rep. Edwards, Rock. 31; Rep. Lynn, Rock. 17; Rep. Maggiore, Rock. 23; Sen. Abbas, Dist 22; Sen. Sullivan, Dist 18

COMMITTEE: Commerce and Consumer Affairs

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ANALYSIS

This bill allows collegiate student-athletes to earn compensation for the use of their name, image, or likeness within certain parameters.

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Explanation: Matter added to current law appears in ***bold italics***.  
Matter removed from current law appears ~~[in brackets and struck through.]~~  
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty Five*

AN ACT relative to the right of intercollegiate student-athletes to earn compensation through the use of their name, image, or likeness.

*Be it Enacted by the Senate and House of Representatives in General Court convened:*

1 1 Short Title. This act may be cited as the "New Hampshire Fair Play Act".

2 2 New Chapter; Compensation of College Athletes. Amend RSA by inserting after chapter 356-  
3 C the following new chapter:

4 CHAPTER 356-D

5 COMPENSATION OF COLLEGE ATHLETES

6 356-D:1 Definition. In this chapter, "postsecondary educational institution" means an  
7 accredited, 4-year institution of higher education whose purpose includes supporting intercollegiate  
8 athletic programs.

9 356-D:2 Compensation of Athletes.

10 I. A postsecondary educational institution shall not:

11 (a) Uphold any rule, requirement, standard, or other limitation that prevents a student  
12 of that institution participating in intercollegiate athletics from earning compensation as a result of  
13 the use of the student's name, image, or likeness;

14 (b) Except as otherwise provided pursuant to paragraph II, earning compensation from  
15 the use of a student's name, image, or likeness shall not affect the student's institutional scholarship  
16 eligibility. An institutional scholarship shall not be considered compensation for the purposes of this  
17 chapter, and a scholarship shall not be revoked as a result of a student earning compensation or  
18 obtaining professional representation;

19 (c) Provide a prospective student-athlete with compensation in relation to the student-  
20 athlete's name, image, or likeness; or

21 (d) Prevent a student participating in intercollegiate athletics from obtaining  
22 professional representation in relation to contracts or legal matters including, but not limited to,  
23 representation provided by athlete agents or legal representation provided by attorneys.

24 II. Legal representation obtained by student-athletes shall be from licensed attorneys.

25 III. Athlete agents representing student-athletes shall comply with the federal "Sports  
26 Agent Responsibility and Trust Act", 15 U.S.C. section 7801 et seq., in their relationship with  
27 student-athletes.

28 IV.(a) Notwithstanding paragraph I, a student participating in intercollegiate athletics shall  
29 be prohibited from earning compensation as a result of the use of the student's name, image, or  
30 likeness in connection with any person, company, or organization related to or associated with the

1 development, production, distribution, wholesaling, or retailing of: adult entertainment products and  
2 services; alcohol products; casinos and gambling, including sports betting, the lottery, and betting in  
3 connection with video games, online games, and mobile devices; tobacco and electronic smoking  
4 products and devices; prescription pharmaceuticals; a controlled dangerous substance; and weapons,  
5 including firearms and ammunition.

6 (b) Earning compensation from the use of a student's name, image, or likeness in  
7 connection with products and services listed under subparagraph (a) shall result in the revocation of  
8 the student's institutional financial aid eligibility.

9 356-D:3 Student-Athlete Contracts.

10 I. A student-athlete who enters into a contract providing compensation to the student-  
11 athlete for use of his or her name, image, or likeness shall disclose the contract to an official of the  
12 postsecondary educational institution, to be designated by the institution.

13 II. A student-athlete shall not enter into a contract providing compensation to the student-  
14 athlete for use of his or her name, image, or likeness if a provision of the contract:

15 (a) Conflicts with a provision of the student-athlete's team contract; or

16 (b) Conflicts with the provisions of RSA 356-D:2, IV.

17 III. An institutional team contract shall not prevent a student-athlete from using the  
18 athlete's name, image, or likeness for a commercial purpose when the athlete is not engaged in  
19 official team activities.

20 IV. An institutional team contract may allow the institution, athletic association,  
21 conference, or other group or organization with authority over intercollegiate athletics to use the  
22 athlete's name, image, or likeness for advertising and marketing purposes without additional  
23 compensation paid to the student-athlete.

24 V. An institution asserting a conflict pursuant to RSA 356-D:2, IV shall disclose to the  
25 student-athlete and to the student-athlete's professional representation the relevant contractual  
26 provisions that are in conflict.

27 356-D:4 Applicability. This chapter shall apply to all full-time students of a postsecondary  
28 educational institution eligible for intercollegiate competition.

29 2 Effective Date. This act shall take effect September 1, 2025.