

Chair, Ranking Member, and Members of the Committee:

Thank you for the opportunity to testify today in support of House Bill 184 a Name, Image, and Likeness (NIL) bill that empowers Ohio's college athletes to benefit from their hard work and talent, while also protecting athletes from harmful provisions and bad actors.

### **Why Ohio Needs Robust NIL Legislation**

For decades, college athletes have generated immense value for Ohio's universities and the NCAA, yet were prohibited from profiting from their own name, image, and likeness. This changed in 2021, when Ohio joined other states in passing laws that finally allowed college athletes to earn compensation through endorsements, sponsorships, and personal appearances. Since then, NIL opportunities have transformed the lives of countless athletes, providing them with new financial resources and professional experiences.

However, the rapid evolution of NIL has also introduced confusion and risk. The absence of a uniform framework has led to a patchwork of state laws, creating disparities and uncertainty for both athletes and institutions. Many athletes enter into contracts without fully understanding the long-term implications, sometimes extending well beyond their college careers and putting them in vulnerable positions. Indeed, with the explosion of NIL, bad actors have begun targeting children as young as 14 years old for the rights to their future earnings.

### **NFLPA Perspective**

My name is Andrew Morris, Public Policy Counsel at the NFL Players Association, the labor union for current NFL players. We represent over 2500 active players and engage on issues to benefit more than 10,000 former players, 99% of whom are former collegiate players. While the Players Association is based in Washington, DC, we travel across the country to advocate for the health, safety, and financial futures of football players past, current, and future.

For American football specifically, college athletics serves as the primary entry way into the pro's and as evidenced from events like the NFL Draft, NFL Scouting Combine and Pro Days hosted by individual colleges and universities, there is an obvious connection between college and pro. That connection will continue to grow in a rapidly-evolving business environment.

At the professional level we organize individual and group player NIL for collective benefit. Recently, we have seen increased cases of exploitative NIL contracts that prevent player participation in certain professional opportunities and pursuits. We have seen exploitative contract arrangements where in exchange for relatively small amounts of NIL money in college, players sign away large percentages of their professional earnings (upwards of 20%). We also see contracts that hold an athlete's NIL rights in perpetuity. To be clear, college and high school athletes -- many of whom are minors -- are signing contracts that permanently assign away their rights of publicity. We can all agree that in our own lives we made a few decisions in our youth we'd like to have back, in this case these college athletes are locked in for life. We at the NFLPA have a vested interest in ensuring the wellbeing of our current members and future members... and it's critical to the careers of professional athletes that they have a right to monetize their own talent in a way that protects them and their future options and earning power.

## **Key Provisions for a Balanced Ohio NIL Bill**

We urge the Committee to support legislation that:

- Affirms the right of Ohio college athletes to enter into NIL contracts, allowing them to profit from their talent and public persona while enrolled at a college or university.
- Ensures that all NIL contracts terminate upon the conclusion of an athlete's collegiate eligibility, protecting students from predatory agreements that could encumber them after graduation or the end of their college careers.
- Provides clear guidelines and transparency for NIL contracts, including the right for athletes to seek professional representation and maintain contract privacy.
- Prevents a fee arrangement that allows for agents to be entitled to compensation the athlete may earn after their collegiate career has ended.

## **Benefits of This Approach**

- Protects college-athletes, and minors enrolling in college, from exploitative or overly restrictive contracts that could limit their future opportunities.
- Promotes fairness and transparency, helping athletes make informed decisions about their financial and professional futures.
- Keeps Ohio competitive in recruiting top athletic talent, as prospective students increasingly consider NIL opportunities when choosing where to play.
- Supports the integrity and sustainability of college athletics by establishing clear, enforceable boundaries for NIL activity.
- Avoids the pitfalls of unchecked commercial influence, ensuring that NIL opportunities remain a tool for empowerment, not exploitation.

## **Conclusion**

By allowing NIL contracts-but ensuring contractual safeguards we can foster opportunity, protect student interests, and maintain the integrity of sports.

Thank you for your attention and your commitment to Ohio's collegiate athletes. I urge you to support this bill and help set a national standard for NIL fairness and responsibility.