

HB 3694 A -A3 STAFF MEASURE SUMMARY

Senate Committee On Education

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Meeting Dates: 4/30, 5/14

WHAT THE MEASURE DOES:

The measure modifies statutes relating to the rights of college athletes in Oregon to control and profit from their name, image, and likeness (NIL). It protects a student athlete's contract from public disclosure law. It permits institutions to directly compensate student athletes or prospective student athletes for the use of their name, image, likeness, or athletic reputation. It also prohibits student athletes from using their name, image, or likeness to promote products or brands related to certain topics, including alcohol, drugs, gambling, firearms, sexual entertainment, hate speech, violence, or other topics prohibited by the higher education institution.

Fiscal impact: Has minimal fiscal impact.

Revenue impact: No revenue impact.

HOUSE VOTE: Ayes, 46; Nays, 9

ISSUES DISCUSSED:

- Proposed House vs. NCAA settlement
- Intent of legislation
- Constitutionality of ban on promoting certain products or brands
- Competitiveness of Oregon universities

EFFECT OF AMENDMENT:

-A3 The amendment removes the prohibition on student athletes from using their name, image, or likeness to promote products or brands related to certain topics, including alcohol, drugs, gambling, firearms, sexual entertainment, hate speech, violence, or other topics prohibited by the higher education institution.

BACKGROUND:

In June 2021, the U.S. Supreme Court issued its ruling on *National Collegiate Athletic Association v. Alston*, which upheld the rights of student athletes to receive compensation for the use of their name, image, or likeness (NIL). Prior to this decision, the rules of the National Collegiate Athletic Association (NCAA) restricted student athletes from earning compensation other than the cost of attendance at their college or university.

[Senate Bill 5 \(2021\)](#), which guarantees student athletes' NIL rights in Oregon, passed in June 2021, simultaneous to the *NCAA v. Alston* ruling and subsequent NCAA policy change. [Senate Bill 1505 \(2022\)](#) added an additional requirement that student athletes receive royalties for the use of their name, image, or likeness on team jerseys, trading cards, or video games. [House Bill 4119 \(2024\)](#) allowed institutions to directly assist student athletes in securing NIL deals and gave liability protections to colleges and universities.

Since 2021, donors and institutions have increased their participation in securing NIL deals and advising student athletes. Donors at institutions across the country have formed institution-specific collectives, which pool donor resources and provide a variety of services to student athletes engaged in NIL deals. There are at least two NIL collectives in Oregon: Dam Nation Collective for Oregon State University (OSU) student athletes, and Division Street for student athletes at the University of Oregon (UO). In addition, Oregon institutions including OSU, UO, and Portland State University offer student athletes mentorship and networking opportunities for NIL activities through their athletic departments.

A settlement in [ongoing lawsuits](#) against the NCAA, proposed in March 2025, would allow student athletes to be paid directly by universities and proposes a revenue-sharing framework for schools and athletes. A hearing on the settlement was held on April 7 and is now awaiting final approval.

PRELIMINARY