

1 AN ACT concerning education.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Freedom of Information Act is amended by
5 changing Section 7.5 as follows:

6 (5 ILCS 140/7.5)

7 (Text of Section before amendment by P.A. 103-472)

8 Sec. 7.5. Statutory exemptions. To the extent provided for
9 by the statutes referenced below, the following shall be
10 exempt from inspection and copying:

11 (a) All information determined to be confidential
12 under Section 4002 of the Technology Advancement and
13 Development Act.

14 (b) Library circulation and order records identifying
15 library users with specific materials under the Library
16 Records Confidentiality Act.

17 (c) Applications, related documents, and medical
18 records received by the Experimental Organ Transplantation
19 Procedures Board and any and all documents or other
20 records prepared by the Experimental Organ Transplantation
21 Procedures Board or its staff relating to applications it
22 has received.

23 (d) Information and records held by the Department of

1 Public Health and its authorized representatives relating
2 to known or suspected cases of sexually transmissible
3 disease or any information the disclosure of which is
4 restricted under the Illinois Sexually Transmissible
5 Disease Control Act.

6 (e) Information the disclosure of which is exempted
7 under Section 30 of the Radon Industry Licensing Act.

8 (f) Firm performance evaluations under Section 55 of
9 the Architectural, Engineering, and Land Surveying
10 Qualifications Based Selection Act.

11 (g) Information the disclosure of which is restricted
12 and exempted under Section 50 of the Illinois Prepaid
13 Tuition Act.

14 (h) Information the disclosure of which is exempted
15 under the State Officials and Employees Ethics Act, and
16 records of any lawfully created State or local inspector
17 general's office that would be exempt if created or
18 obtained by an Executive Inspector General's office under
19 that Act.

20 (i) Information contained in a local emergency energy
21 plan submitted to a municipality in accordance with a
22 local emergency energy plan ordinance that is adopted
23 under Section 11-21.5-5 of the Illinois Municipal Code.

24 (j) Information and data concerning the distribution
25 of surcharge moneys collected and remitted by carriers
26 under the Emergency Telephone System Act.

1 (k) Law enforcement officer identification information
2 or driver identification information compiled by a law
3 enforcement agency or the Department of Transportation
4 under Section 11-212 of the Illinois Vehicle Code.

5 (l) Records and information provided to a residential
6 health care facility resident sexual assault and death
7 review team or the Executive Council under the Abuse
8 Prevention Review Team Act.

9 (m) Information provided to the predatory lending
10 database created pursuant to Article 3 of the Residential
11 Real Property Disclosure Act, except to the extent
12 authorized under that Article.

13 (n) Defense budgets and petitions for certification of
14 compensation and expenses for court appointed trial
15 counsel as provided under Sections 10 and 15 of the
16 Capital Crimes Litigation Act (repealed). This subsection
17 (n) shall apply until the conclusion of the trial of the
18 case, even if the prosecution chooses not to pursue the
19 death penalty prior to trial or sentencing.

20 (o) Information that is prohibited from being
21 disclosed under Section 4 of the Illinois Health and
22 Hazardous Substances Registry Act.

23 (p) Security portions of system safety program plans,
24 investigation reports, surveys, schedules, lists, data, or
25 information compiled, collected, or prepared by or for the
26 Department of Transportation under Sections 2705-300 and

1 2705-616 of the Department of Transportation Law of the
2 Civil Administrative Code of Illinois, the Regional
3 Transportation Authority under Section 2.11 of the
4 Regional Transportation Authority Act, or the St. Clair
5 County Transit District under the Bi-State Transit Safety
6 Act (repealed).

7 (q) Information prohibited from being disclosed by the
8 Personnel Record Review Act.

9 (r) Information prohibited from being disclosed by the
10 Illinois School Student Records Act.

11 (s) Information the disclosure of which is restricted
12 under Section 5-108 of the Public Utilities Act.

13 (t) (Blank).

14 (u) Records and information provided to an independent
15 team of experts under the Developmental Disability and
16 Mental Health Safety Act (also known as Brian's Law).

17 (v) Names and information of people who have applied
18 for or received Firearm Owner's Identification Cards under
19 the Firearm Owners Identification Card Act or applied for
20 or received a concealed carry license under the Firearm
21 Concealed Carry Act, unless otherwise authorized by the
22 Firearm Concealed Carry Act; and databases under the
23 Firearm Concealed Carry Act, records of the Concealed
24 Carry Licensing Review Board under the Firearm Concealed
25 Carry Act, and law enforcement agency objections under the
26 Firearm Concealed Carry Act.

1 (v-5) Records of the Firearm Owner's Identification
2 Card Review Board that are exempted from disclosure under
3 Section 10 of the Firearm Owners Identification Card Act.

4 (w) Personally identifiable information which is
5 exempted from disclosure under subsection (g) of Section
6 19.1 of the Toll Highway Act.

7 (x) Information which is exempted from disclosure
8 under Section 5-1014.3 of the Counties Code or Section
9 8-11-21 of the Illinois Municipal Code.

10 (y) Confidential information under the Adult
11 Protective Services Act and its predecessor enabling
12 statute, the Elder Abuse and Neglect Act, including
13 information about the identity and administrative finding
14 against any caregiver of a verified and substantiated
15 decision of abuse, neglect, or financial exploitation of
16 an eligible adult maintained in the Registry established
17 under Section 7.5 of the Adult Protective Services Act.

18 (z) Records and information provided to a fatality
19 review team or the Illinois Fatality Review Team Advisory
20 Council under Section 15 of the Adult Protective Services
21 Act.

22 (aa) Information which is exempted from disclosure
23 under Section 2.37 of the Wildlife Code.

24 (bb) Information which is or was prohibited from
25 disclosure by the Juvenile Court Act of 1987.

26 (cc) Recordings made under the Law Enforcement

1 Officer-Worn Body Camera Act, except to the extent
2 authorized under that Act.

3 (dd) Information that is prohibited from being
4 disclosed under Section 45 of the Condominium and Common
5 Interest Community Ombudsperson Act.

6 (ee) Information that is exempted from disclosure
7 under Section 30.1 of the Pharmacy Practice Act.

8 (ff) Information that is exempted from disclosure
9 under the Revised Uniform Unclaimed Property Act.

10 (gg) Information that is prohibited from being
11 disclosed under Section 7-603.5 of the Illinois Vehicle
12 Code.

13 (hh) Records that are exempt from disclosure under
14 Section 1A-16.7 of the Election Code.

15 (ii) Information which is exempted from disclosure
16 under Section 2505-800 of the Department of Revenue Law of
17 the Civil Administrative Code of Illinois.

18 (jj) Information and reports that are required to be
19 submitted to the Department of Labor by registering day
20 and temporary labor service agencies but are exempt from
21 disclosure under subsection (a-1) of Section 45 of the Day
22 and Temporary Labor Services Act.

23 (kk) Information prohibited from disclosure under the
24 Seizure and Forfeiture Reporting Act.

25 (ll) Information the disclosure of which is restricted
26 and exempted under Section 5-30.8 of the Illinois Public

1 Aid Code.

2 (mm) Records that are exempt from disclosure under
3 Section 4.2 of the Crime Victims Compensation Act.

4 (nn) Information that is exempt from disclosure under
5 Section 70 of the Higher Education Student Assistance Act.

6 (oo) Communications, notes, records, and reports
7 arising out of a peer support counseling session
8 prohibited from disclosure under the First Responders
9 Suicide Prevention Act.

10 (pp) Names and all identifying information relating to
11 an employee of an emergency services provider or law
12 enforcement agency under the First Responders Suicide
13 Prevention Act.

14 (qq) Information and records held by the Department of
15 Public Health and its authorized representatives collected
16 under the Reproductive Health Act.

17 (rr) Information that is exempt from disclosure under
18 the Cannabis Regulation and Tax Act.

19 (ss) Data reported by an employer to the Department of
20 Human Rights pursuant to Section 2-108 of the Illinois
21 Human Rights Act.

22 (tt) Recordings made under the Children's Advocacy
23 Center Act, except to the extent authorized under that
24 Act.

25 (uu) Information that is exempt from disclosure under
26 Section 50 of the Sexual Assault Evidence Submission Act.

1 (vv) Information that is exempt from disclosure under
2 subsections (f) and (j) of Section 5-36 of the Illinois
3 Public Aid Code.

4 (wv) Information that is exempt from disclosure under
5 Section 16.8 of the State Treasurer Act.

6 (xx) Information that is exempt from disclosure or
7 information that shall not be made public under the
8 Illinois Insurance Code.

9 (yy) Information prohibited from being disclosed under
10 the Illinois Educational Labor Relations Act.

11 (zz) Information prohibited from being disclosed under
12 the Illinois Public Labor Relations Act.

13 (aaa) Information prohibited from being disclosed
14 under Section 1-167 of the Illinois Pension Code.

15 (bbb) Information that is prohibited from disclosure
16 by the Illinois Police Training Act and the Illinois State
17 Police Act.

18 (ccc) Records exempt from disclosure under Section
19 2605-304 of the Illinois State Police Law of the Civil
20 Administrative Code of Illinois.

21 (ddd) Information prohibited from being disclosed
22 under Section 35 of the Address Confidentiality for
23 Victims of Domestic Violence, Sexual Assault, Human
24 Trafficking, or Stalking Act.

25 (eee) Information prohibited from being disclosed
26 under subsection (b) of Section 75 of the Domestic

1 Violence Fatality Review Act.

2 (fff) Images from cameras under the Expressway Camera
3 Act. This subsection (fff) is inoperative on and after
4 July 1, 2025.

5 (ggg) Information prohibited from disclosure under
6 paragraph (3) of subsection (a) of Section 14 of the Nurse
7 Agency Licensing Act.

8 (hhh) Information submitted to the Illinois State
9 Police in an affidavit or application for an assault
10 weapon endorsement, assault weapon attachment endorsement,
11 .50 caliber rifle endorsement, or .50 caliber cartridge
12 endorsement under the Firearm Owners Identification Card
13 Act.

14 (iii) Data exempt from disclosure under Section 50 of
15 the School Safety Drill Act.

16 (jjj) ~~(hhh)~~ Information exempt from disclosure under
17 Section 30 of the Insurance Data Security Law.

18 (kkk) ~~(iii)~~ Confidential business information
19 prohibited from disclosure under Section 45 of the Paint
20 Stewardship Act.

21 (lll) (Reserved).

22 (mmm) ~~(iii)~~ Information prohibited from being
23 disclosed under subsection (e) of Section 1-129 of the
24 Illinois Power Agency Act.

25 (nnn) Information exempt from disclosure under Section
26 40 of the Student-Athlete Endorsement Rights Act.

1 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;
2 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.
3 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;
4 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.
5 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,
6 eff. 1-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23;
7 revised 1-2-24.)

8 (Text of Section after amendment by P.A. 103-472)

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18 2605-304 of the Illinois State Police Law of the Civil
19 Administrative Code of Illinois.

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25 under subsection (b) of Section 75 of the Domestic
26 Violence Fatality Review Act.

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2 Act. This subsection (fff) is inoperative on and after
3 July 1, 2025.

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5 paragraph (3) of subsection (a) of Section 14 of the Nurse
6 Agency Licensing Act.

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8 Police in an affidavit or application for an assault
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12 Act.

13 (iii) Data exempt from disclosure under Section 50 of
14 the School Safety Drill Act.

15 (jjj) ~~(hhh)~~ Information exempt from disclosure under
16 Section 30 of the Insurance Data Security Law.

17 (kkk) ~~(iii)~~ Confidential business information
18 prohibited from disclosure under Section 45 of the Paint
19 Stewardship Act.

20 (lll) ~~(iii)~~ Data exempt from disclosure under Section
21 2-3.196 of the School Code.

22 (mmm) ~~(iii)~~ Information prohibited from being
23 disclosed under subsection (e) of Section 1-129 of the
24 Illinois Power Agency Act.

25 (nnn) Information exempt from disclosure under Section
26 40 of the Student-Athlete Endorsement Rights Act.

1 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;
2 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.
3 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;
4 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.
5 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,
6 eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;
7 103-580, eff. 12-8-23; revised 1-2-24.)

8 Section 10. The Student-Athlete Endorsement Rights Act is
9 amended by changing Sections 5, 10, 15, and 20 and by adding
10 Sections 40 and 45 as follows:

11 (110 ILCS 190/5)

12 Sec. 5. Definitions. In this Act:

13 "Booster" means a person or entity that has made, within
14 the past 5 years, a financial contribution in an amount
15 greater than \$1,000 to a postsecondary educational
16 institution's athletics department or an athletics booster
17 organization of that institution. The purchase of season or
18 single game tickets to any athletics event is not a financial
19 contribution for purposes of determining whether an individual
20 or entity is a booster.

21 "Compensation" means anything of value, monetary or
22 otherwise, including, but not limited to, cash, gifts, in-kind
23 items of value, social media compensation, payments for
24 licensing or use of publicity rights, payments for other

1 intellectual or intangible property rights under federal or
2 State law, and any other form of payment or remuneration,
3 except as excluded under this Act. "Compensation" shall not
4 include:

5 (1) tuition, room, board, books, fees, and personal
6 expenses that a postsecondary educational institution
7 provides to a student-athlete in accordance with the rules
8 of the athletic association or conference of which the
9 postsecondary educational institution is a member;

10 (2) Federal Pell Grants and other State and federal
11 grants or scholarships unrelated to, and not awarded
12 because of a student-athlete's participation in
13 intercollegiate athletics or sports competition;

14 (3) any other financial aid, benefits, or awards that
15 a postsecondary educational institution provides to a
16 student-athlete in accordance with the rules of the
17 athletic association or conference of which the
18 postsecondary educational institution is a member; or

19 (4) the payment of wages and benefits to a
20 student-athlete for work actually performed (but not for
21 athletic ability or participation in intercollegiate
22 athletics) at a rate commensurate with the prevailing rate
23 for similar work in the locality of the student-athlete's
24 postsecondary educational institution.

25 "Enrolled" means registered for courses or attending
26 athletic practice or class at a postsecondary educational

1 institution.

2 "Image" means any visual depiction, including, but not
3 limited to, photograph, digital image, rendering, and video.

4 "Intercollegiate athletics program" means an
5 intercollegiate athletics program played at the collegiate
6 level for which eligibility requirements for participation by
7 a student-athlete are established by a national association
8 for the promotion or regulation of collegiate athletics.

9 "Likeness" means a physical, digital, rendering, or other
10 depiction or representation of a student-athlete, including a
11 student-athlete's uniform number or signature, that reasonably
12 identifies the student-athlete with particularity and is not
13 reasonably considered to be a generic representation of a
14 member of an intercollegiate athletics program.

15 "Name" means the first or last name or the nickname of a
16 student-athlete when used in a context that reasonably
17 identifies the student-athlete with particularity.

18 "Name, image, and likeness agreement" or "publicity rights
19 agreement" means a contract or other written or oral
20 arrangement between a student-athlete and a third party
21 licensee regarding the use of the name, image, likeness, or
22 voice of the student-athlete.

23 "Publicity right" means any right that (i) is licensed
24 under a publicity rights agreement or (ii) is recognized under
25 a federal or State law that permits an individual to control
26 and benefit from the commercial use of the name, image,

1 likeness, or voice of the individual.

2 "Postsecondary educational institution" means a public
3 university or community college or private university or
4 college.

5 "Social media compensation" means all forms of payment for
6 engagement on social media received by a student-athlete as a
7 result of the use of that student-athlete's name, image,
8 likeness, or voice.

9 "Student-athlete" means a student ~~currently enrolled at a~~
10 ~~postsecondary educational institution~~ who engages in, is
11 eligible to engage in, or may be eligible in the future to
12 engage in, an intercollegiate athletics program at a
13 postsecondary educational institution. If an individual is
14 permanently ineligible to participate in a particular
15 intercollegiate sport, the individual is not a student-athlete
16 for purposes of that sport.

17 "Third party licensee" means any individual or entity that
18 licenses publicity rights or the use of name, image, likeness,
19 or voice from any prospective or current student-athlete or
20 group of student-athletes. "Third party licensee" shall not
21 include any national association for the promotion or
22 regulation of collegiate athletics, athletics conference, or
23 postsecondary educational institution.

24 (Source: P.A. 102-42, eff. 7-1-21; 102-892, eff. 5-20-22.)

25 (110 ILCS 190/10)

1 Sec. 10. Compensation. Except as provided in Section 15:

2 (1) A student-athlete may earn compensation,
3 commensurate with market value, for the use of the name,
4 image, likeness, or voice of the student-athlete ~~while~~
5 ~~enrolled at a postsecondary educational institution~~ and
6 obtain and retain an agent for any matter or activity
7 relating to such compensation.

8 (2) A student-athlete may not earn compensation under
9 this Act in exchange for the student-athlete's athletic
10 ability or participation in intercollegiate athletics or
11 sports competition ~~or agreement or willingness to attend a~~
12 ~~postsecondary educational institution.~~

13 (3) (Blank). ~~Notwithstanding any other provision of~~
14 ~~law or agreement to the contrary, a student-athlete shall~~
15 ~~not be deemed an employee, agent, or independent~~
16 ~~contractor of an association, a conference, or a~~
17 ~~postsecondary educational institution based on the~~
18 ~~student-athlete's participation in an intercollegiate~~
19 ~~athletics program.~~

20 (4) This Act may not be interpreted to consider a
21 student-athlete as an employee, agent, or independent
22 contractor of an association, a conference, or a
23 postsecondary educational institution.

24 (Source: P.A. 102-42, eff. 7-1-21; 102-892, eff. 5-20-22.)

25 (110 ILCS 190/15)

1 Sec. 15. Postsecondary educational institutions;
2 limitations; prohibitions.

3 (a) Except as provided in this Act, a postsecondary
4 educational institution shall not uphold any contract, rule,
5 regulation, standard, or other requirement that prevents a
6 student-athlete of that institution from earning compensation
7 as a result of the use of the student-athlete's name, image,
8 likeness, or voice. Any such contract, rule, regulation,
9 standard, or other requirement shall be void and unenforceable
10 against the postsecondary educational institution or the
11 student-athlete. Compensation from the use of a
12 student-athlete's name, image, likeness, or voice may not
13 affect the student-athlete's scholarship eligibility,
14 grant-in-aid, or other financial aid, awards or benefits, or
15 the student-athlete's intercollegiate athletic eligibility.
16 Nothing in this Act is intended to alter any State or federal
17 laws, rules, or regulations regarding the award of financial
18 aid at postsecondary educational institutions.

19 (b) Except as provided in this Act, an athletic
20 association, conference, or other group or organization with
21 authority over intercollegiate athletic programs, including,
22 but not limited to, the National Collegiate Athletic
23 Association, the National Association of Intercollegiate
24 Athletics, and the National Junior College Athletic
25 Association, shall not prevent, or otherwise enforce a
26 contract, rule, regulation, standard, or other requirement

1 that prevents a student-athlete at a postsecondary educational
2 institution from earning compensation as a result of the use
3 of the student-athlete's name, image, likeness, or voice.

4 (c) To protect the integrity of its educational mission
5 and intercollegiate athletics program, a postsecondary
6 educational institution may impose reasonable limitations on
7 the dates and time that a student-athlete may participate in
8 endorsement, promotional, social media, or other activities
9 related to the license or use of the student-athlete's name,
10 image, likeness, or voice. Nothing in this Act shall restrict
11 a postsecondary educational institution from exercising its
12 sole discretion to control the authorized use of its marks or
13 logos or to determine a student-athlete's apparel, gear, or
14 other wearables during an intercollegiate athletics
15 competition or institution-sponsored event. A student-athlete
16 may not receive or enter into a contract for compensation for
17 the use of the student-athlete's name, image, likeness, or
18 voice in a way that also uses any registered or licensed marks,
19 logos, verbiage, name, or designs of a postsecondary
20 educational institution, unless the postsecondary educational
21 institution has provided the student-athlete with written
22 permission to do so prior to execution of the contract or
23 receipt of compensation. If permission is granted to the
24 student-athlete, the postsecondary educational institution, by
25 an agreement of all of the parties, may be compensated for the
26 use in a manner consistent with market rates. A postsecondary

1 educational institution may also prohibit a student-athlete
2 from wearing any item of clothing, shoes, or other gear or
3 wearables with the name, logo, or insignia of any entity
4 during an intercollegiate athletics competition or
5 institution-sponsored event.

6 (d) An athletic association, conference, or other group or
7 organization with authority over intercollegiate athletics
8 programs, including, but not limited to, the National
9 Collegiate Athletic Association, the National Association of
10 Intercollegiate Athletics, and the National Junior College
11 Athletic Association, shall not enforce a contract, rule,
12 regulation, standard, or other requirement that prevents a
13 postsecondary educational institution from participating in an
14 intercollegiate athletics program as a result of the
15 compensation of a student-athlete for the use of the
16 student-athlete's name, image, likeness, or voice.

17 (e) If allowed by a court order, a settlement agreement,
18 an athletic association, conference, or other group or
19 organization with authority over intercollegiate athletics
20 programs, or a policy of a postsecondary educational
21 institution, the A postsecondary educational institution,
22 athletic association, conference, or other group or
23 organization with authority over intercollegiate athletics
24 programs, including, but not limited to, the National
25 Collegiate Athletic Association, the National Association of
26 Intercollegiate Athletics, and the National Junior College

1 Athletic Association, ~~may shall not~~ directly or indirectly:

2 (1) enter into, or offer to enter into, a publicity
3 rights agreement with a prospective or current
4 student-athlete; or

5 (2) provide a prospective or current student-athlete
6 or the student-athlete's family compensation in relation
7 to the use of the student-athlete's name, image, likeness,
8 or voice.

9 (f) A postsecondary educational institution, athletic
10 association, conference, or other group or organization with
11 authority over intercollegiate athletics programs, including,
12 but not limited to, the National Collegiate Athletic
13 Association, the National Association of Intercollegiate
14 Athletics, and the National Junior College Athletic
15 Association, shall not prevent a student-athlete from
16 obtaining professional representation for purposes of this Act
17 in relation to name, image, likeness, or voice, or to secure a
18 publicity rights agreement, including, but not limited to,
19 representation provided by athlete agents or legal
20 representation provided by attorneys. A student-athlete shall
21 provide the postsecondary educational institution with written
22 notice and a copy of the agreement in the manner and at a time
23 prescribed by the institution.

24 (Source: P.A. 102-42, eff. 7-1-21; 102-892, eff. 5-20-22.)

25 (110 ILCS 190/20)

1 Sec. 20. Agents; publicity rights; third party licensees.

2 (a) An agent, legal representative, or other professional
3 service provider offering services to a student-athlete shall,
4 to the extent required, comply with the federal Sports Agent
5 Responsibility and Trust Act and any other applicable laws,
6 rules, or regulations.

7 (b) A grant-in-aid, including cost of attendance, and
8 other permissible financial aid, awards, or benefits from the
9 postsecondary educational institution in which a
10 student-athlete is enrolled shall not be revoked, reduced, nor
11 the terms and conditions altered, as a result of a
12 student-athlete earning compensation or obtaining professional
13 or legal representation pursuant to this Act.

14 (c) A student-athlete shall disclose to the postsecondary
15 educational institution in which the student is enrolled, in a
16 manner and time prescribed by the institution, the existence
17 and substance of all publicity rights agreements. Publicity
18 rights agreements that contemplate cash or other compensation
19 to the student-athlete that is equal to or in excess of a value
20 of \$500 shall be formalized into a written contract, and the
21 contract shall be provided to the postsecondary educational
22 institution in the manner and at a time prescribed by the
23 institution.

24 (d) A student-athlete may not enter into a publicity
25 rights agreement or otherwise receive compensation for that
26 student-athlete's name, image, likeness, or voice for services

1 rendered or performed while that student-athlete is
2 participating in activities sanctioned by that
3 student-athlete's postsecondary educational institution if
4 such services or performance by the student-athlete would
5 conflict with a provision in a contract, rule, regulation,
6 standard, or other requirement of the postsecondary
7 educational institution.

8 (e) (Blank). ~~No booster, third party licensee, or any~~
9 ~~other individual or entity, shall provide or directly or~~
10 ~~indirectly arrange for a third party to provide compensation~~
11 ~~to a prospective or current student athlete or enter into, or~~
12 ~~directly or indirectly arrange for a third party to enter~~
13 ~~into, a publicity rights agreement as an inducement for the~~
14 ~~student athlete to attend or enroll in a specific institution~~
15 ~~or group of institutions. Compensation for a student athlete's~~
16 ~~name, image, likeness, or voice shall not be conditioned on~~
17 ~~athletic performance at a particular postsecondary educational~~
18 ~~institution.~~

19 (f) A postsecondary educational institution may fund an
20 independent, third-party administrator to support education,
21 monitoring, disclosures, and reporting concerning name, image,
22 likeness, or voice activities by student-athletes authorized
23 pursuant to this Act. A third-party administrator cannot be a
24 registered athlete agent.

25 (g) A ~~No~~ postsecondary educational institution may ~~shall~~
26 ~~provide compensation to a prospective or current~~

1 ~~student-athlete or enter into a publicity rights agreement~~
2 ~~with a prospective or current student-athlete. Nothing in this~~
3 ~~Act shall require a postsecondary educational institution to~~
4 directly or indirectly identify, create, facilitate, arrange,
5 negotiate, or otherwise enable opportunities for a prospective
6 or current student-athlete to enter into a publicity rights
7 agreement with a third party.

8 (h) (Blank). ~~No student-athlete shall enter into a~~
9 ~~publicity rights agreement or receive compensation from a~~
10 ~~third party licensee relating to the name, image, likeness, or~~
11 ~~voice of the student-athlete before the date on which the~~
12 ~~student-athlete enrolls at a postsecondary educational~~
13 ~~institution.~~

14 (i) No student-athlete shall enter into a publicity rights
15 agreement or receive compensation from a third party licensee
16 for the endorsement or promotion of gambling, sports betting,
17 controlled substances, cannabis, a tobacco or alcohol company,
18 brand, or products, alternative or electronic nicotine product
19 or delivery system, performance-enhancing supplements, adult
20 entertainment, or any other product or service that is
21 reasonably considered to be inconsistent with the values or
22 mission of a postsecondary educational institution or that
23 negatively impacts or reflects adversely on a postsecondary
24 educational institution or its athletic programs, including,
25 but not limited to, bringing about public disrepute,
26 embarrassment, scandal, ridicule, or otherwise negatively

1 impacting the reputation or the moral or ethical standards of
2 the postsecondary educational institution.

3 (Source: P.A. 102-42, eff. 7-1-21; 102-687, eff. 12-17-21;
4 102-892, eff. 5-20-22.)

5 (110 ILCS 190/40 new)

6 Sec. 40. Disclosure exemption. Information written,
7 produced, collected, assembled, or otherwise maintained by a
8 postsecondary educational institution that includes, reveals,
9 or otherwise relates to the terms of an existing or proposed
10 student-athlete publicity rights agreement is exempt from
11 disclosure under the Freedom of Information Act.

12 (110 ILCS 190/45 new)

13 Sec. 45. Additional benefits. A postsecondary educational
14 institution may provide intangible benefits, including
15 priority status or other items of de minimis or nonmonetary
16 value, as an incentive to individuals, companies, or other
17 third parties that provide money, benefits, opportunities, or
18 other services to an outside entity functioning primarily to
19 support the creation and facilitation of publicity rights
20 agreements for student-athletes.

21 Section 95. No acceleration or delay. Where this Act makes
22 changes in a statute that is represented in this Act by text
23 that is not yet or no longer in effect (for example, a Section

1 represented by multiple versions), the use of that text does
2 not accelerate or delay the taking effect of (i) the changes
3 made by this Act or (ii) provisions derived from any other
4 Public Act.