



Rep. Kam Buckner

**Filed: 4/15/2024**

10300HB0307ham001

LRB103 03834 RJT 72137 a

1 AMENDMENT TO HOUSE BILL 307

2 AMENDMENT NO. \_\_\_\_\_. Amend House Bill 307 by replacing  
3 everything after the enacting clause with the following:

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.

1           (c) Applications, related documents, and medical  
2 records received by the Experimental Organ Transplantation  
3 Procedures Board and any and all documents or other  
4 records prepared by the Experimental Organ Transplantation  
5 Procedures Board or its staff relating to applications it  
6 has received.

7           (d) Information and records held by the Department of  
8 Public Health and its authorized representatives relating  
9 to known or suspected cases of sexually transmissible  
10 disease or any information the disclosure of which is  
11 restricted under the Illinois Sexually Transmissible  
12 Disease Control Act.

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

15           (f) Firm performance evaluations under Section 55 of  
16 the Architectural, Engineering, and Land Surveying  
17 Qualifications Based Selection Act.

18           (g) Information the disclosure of which is restricted  
19 and exempted under Section 50 of the Illinois Prepaid  
20 Tuition Act.

21           (h) Information the disclosure of which is exempted  
22 under the State Officials and Employees Ethics Act, and  
23 records of any lawfully created State or local inspector  
24 general's office that would be exempt if created or  
25 obtained by an Executive Inspector General's office under  
26 that Act.

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

5 (j) Information and data concerning the distribution  
6 of surcharge moneys collected and remitted by carriers  
7 under the Emergency Telephone System Act.

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

12 (l) Records and information provided to a residential  
13 health care facility resident sexual assault and death  
14 review team or the Executive Council under the Abuse  
15 Prevention Review Team Act.

16 (m) Information provided to the predatory lending  
17 database created pursuant to Article 3 of the Residential  
18 Real Property Disclosure Act, except to the extent  
19 authorized under that Article.

20 (n) Defense budgets and petitions for certification of  
21 compensation and expenses for court appointed trial  
22 counsel as provided under Sections 10 and 15 of the  
23 Capital Crimes Litigation Act (repealed). This subsection  
24 (n) shall apply until the conclusion of the trial of the  
25 case, even if the prosecution chooses not to pursue the  
26 death penalty prior to trial or sentencing.

1           (o) Information that is prohibited from being  
2 disclosed under Section 4 of the Illinois Health and  
3 Hazardous Substances Registry Act.

4           (p) Security portions of system safety program plans,  
5 investigation reports, surveys, schedules, lists, data, or  
6 information compiled, collected, or prepared by or for the  
7 Department of Transportation under Sections 2705-300 and  
8 2705-616 of the Department of Transportation Law of the  
9 Civil Administrative Code of Illinois, the Regional  
10 Transportation Authority under Section 2.11 of the  
11 Regional Transportation Authority Act, or the St. Clair  
12 County Transit District under the Bi-State Transit Safety  
13 Act (repealed).

14           (q) Information prohibited from being disclosed by the  
15 Personnel Record Review Act.

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

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

20           (t) (Blank).

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

24           (v) Names and information of people who have applied  
25 for or received Firearm Owner's Identification Cards under  
26 the Firearm Owners Identification Card Act or applied for

1 or received a concealed carry license under the Firearm  
2 Concealed Carry Act, unless otherwise authorized by the  
3 Firearm Concealed Carry Act; and databases under the  
4 Firearm Concealed Carry Act, records of the Concealed  
5 Carry Licensing Review Board under the Firearm Concealed  
6 Carry Act, and law enforcement agency objections under the  
7 Firearm Concealed Carry Act.

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

11 (w) Personally identifiable information which is  
12 exempted from disclosure under subsection (g) of Section  
13 19.1 of the Toll Highway Act.

14 (x) Information which is exempted from disclosure  
15 under Section 5-1014.3 of the Counties Code or Section  
16 8-11-21 of the Illinois Municipal Code.

17 (y) Confidential information under the Adult  
18 Protective Services Act and its predecessor enabling  
19 statute, the Elder Abuse and Neglect Act, including  
20 information about the identity and administrative finding  
21 against any caregiver of a verified and substantiated  
22 decision of abuse, neglect, or financial exploitation of  
23 an eligible adult maintained in the Registry established  
24 under Section 7.5 of the Adult Protective Services Act.

25 (z) Records and information provided to a fatality  
26 review team or the Illinois Fatality Review Team Advisory

1 Council under Section 15 of the Adult Protective Services  
2 Act.

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

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

7 (cc) Recordings made under the Law Enforcement  
8 Officer-Worn Body Camera Act, except to the extent  
9 authorized under that Act.

10 (dd) Information that is prohibited from being  
11 disclosed under Section 45 of the Condominium and Common  
12 Interest Community Ombudsperson Act.

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

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

17 (gg) Information that is prohibited from being  
18 disclosed under Section 7-603.5 of the Illinois Vehicle  
19 Code.

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

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

25 (jj) Information and reports that are required to be  
26 submitted to the Department of Labor by registering day

1 and temporary labor service agencies but are exempt from  
2 disclosure under subsection (a-1) of Section 45 of the Day  
3 and Temporary Labor Services Act.

4 (kk) Information prohibited from disclosure under the  
5 Seizure and Forfeiture Reporting Act.

6 (ll) Information the disclosure of which is restricted  
7 and exempted under Section 5-30.8 of the Illinois Public  
8 Aid Code.

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

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

13 (oo) Communications, notes, records, and reports  
14 arising out of a peer support counseling session  
15 prohibited from disclosure under the First Responders  
16 Suicide Prevention Act.

17 (pp) Names and all identifying information relating to  
18 an employee of an emergency services provider or law  
19 enforcement agency under the First Responders Suicide  
20 Prevention Act.

21 (qq) Information and records held by the Department of  
22 Public Health and its authorized representatives collected  
23 under the Reproductive Health Act.

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

26 (ss) Data reported by an employer to the Department of

1 Human Rights pursuant to Section 2-108 of the Illinois  
2 Human Rights Act.

3 (tt) Recordings made under the Children's Advocacy  
4 Center Act, except to the extent authorized under that  
5 Act.

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

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

11 (ww) Information that is exempt from disclosure under  
12 Section 16.8 of the State Treasurer Act.

13 (xx) Information that is exempt from disclosure or  
14 information that shall not be made public under the  
15 Illinois Insurance Code.

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

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

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

22 (bbb) Information that is prohibited from disclosure  
23 by the Illinois Police Training Act and the Illinois State  
24 Police Act.

25 (ccc) Records exempt from disclosure under Section  
26 2605-304 of the Illinois State Police Law of the Civil



1 Administrative Code of Illinois.

2 (ddd) Information prohibited from being disclosed  
3 under Section 35 of the Address Confidentiality for  
4 Victims of Domestic Violence, Sexual Assault, Human  
5 Trafficking, or Stalking Act.

6 (eee) Information prohibited from being disclosed  
7 under subsection (b) of Section 75 of the Domestic  
8 Violence Fatality Review Act.

9 (fff) Images from cameras under the Expressway Camera  
10 Act. This subsection (fff) is inoperative on and after  
11 July 1, 2025.

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

15 (hhh) Information submitted to the Illinois State  
16 Police in an affidavit or application for an assault  
17 weapon endorsement, assault weapon attachment endorsement,  
18 .50 caliber rifle endorsement, or .50 caliber cartridge  
19 endorsement under the Firearm Owners Identification Card  
20 Act.

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

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

25 (kkk) ~~(iii)~~ Confidential business information  
26 prohibited from disclosure under Section 45 of the Paint

1 Stewardship Act.

2 (lll) (Reserved).

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

6 (nnn) Information exempt from disclosure under Section  
7 40 of the Student-Athlete Endorsement Rights Act.

8 (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;  
9 102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.  
10 8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;  
11 102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.  
12 6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,  
13 eff. 1-1-24; 103-508, eff. 8-4-23; 103-580, eff. 12-8-23;  
14 revised 1-2-24.)

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

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3 Center Act, except to the extent authorized under that  
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5 (uu) Information that is exempt from disclosure under  
6 Section 50 of the Sexual Assault Evidence Submission Act.

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

10 (ww) Information that is exempt from disclosure under  
11 Section 16.8 of the State Treasurer Act.

12 (xx) Information that is exempt from disclosure or  
13 information that shall not be made public under the  
14 Illinois Insurance Code.

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23 Police Act.

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25 2605-304 of the Illinois State Police Law of the Civil  
26 Administrative Code of Illinois.

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3 Victims of Domestic Violence, Sexual Assault, Human  
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5           (eee) Information prohibited from being disclosed  
6 under subsection (b) of Section 75 of the Domestic  
7 Violence Fatality Review Act.

8           (fff) Images from cameras under the Expressway Camera  
9 Act. This subsection (fff) is inoperative on and after  
10 July 1, 2025.

11           (ggg) Information prohibited from disclosure under  
12 paragraph (3) of subsection (a) of Section 14 of the Nurse  
13 Agency Licensing Act.

14           (hhh) Information submitted to the Illinois State  
15 Police in an affidavit or application for an assault  
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17 .50 caliber rifle endorsement, or .50 caliber cartridge  
18 endorsement under the Firearm Owners Identification Card  
19 Act.

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

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

24           (kkk) ~~(iii)~~ Confidential business information  
25 prohibited from disclosure under Section 45 of the Paint  
26 Stewardship Act.

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

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

6            (nnn) Information exempt from disclosure under Section  
7            40 of the Student-Athlete Endorsement Rights Act.

8            (Source: P.A. 102-36, eff. 6-25-21; 102-237, eff. 1-1-22;  
9            102-292, eff. 1-1-22; 102-520, eff. 8-20-21; 102-559, eff.  
10           8-20-21; 102-813, eff. 5-13-22; 102-946, eff. 7-1-22;  
11           102-1042, eff. 6-3-22; 102-1116, eff. 1-10-23; 103-8, eff.  
12           6-7-23; 103-34, eff. 6-9-23; 103-142, eff. 1-1-24; 103-372,  
13           eff. 1-1-24; 103-472, eff. 8-1-24; 103-508, eff. 8-4-23;  
14           103-580, eff. 12-8-23; revised 1-2-24.)

15           Section 10. The Student-Athlete Endorsement Rights Act is  
16           amended by changing Sections 5, 10, 15, 20, and 35 and by  
17           adding Sections 40 and 45 as follows:

18           (110 ILCS 190/5)

19           Sec. 5. Definitions. In this Act:

20           "Booster" means a person or entity that has made, within  
21           the past 5 years, a financial contribution in an amount  
22           greater than \$1,000 to a postsecondary educational  
23           institution's athletics department or an athletics booster  
24           organization of that institution. The purchase of season or

1 single game tickets to any athletics event is not a financial  
2 contribution for purposes of determining whether an individual  
3 or entity is a booster.

4 "Compensation" means anything of value, monetary or  
5 otherwise, including, but not limited to, cash, gifts, in-kind  
6 items of value, social media compensation, payments for  
7 licensing or use of publicity rights, payments for other  
8 intellectual or intangible property rights under federal or  
9 State law, and any other form of payment or remuneration,  
10 except as excluded under this Act. "Compensation" shall not  
11 include:

12 (1) tuition, room, board, books, fees, and personal  
13 expenses that a postsecondary educational institution  
14 provides to a student-athlete in accordance with the rules  
15 of the athletic association or conference of which the  
16 postsecondary educational institution is a member;

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

21 (3) any other financial aid, benefits, or awards that  
22 a postsecondary educational institution provides to a  
23 student-athlete in accordance with the rules of the  
24 athletic association or conference of which the  
25 postsecondary educational institution is a member; or

26 (4) the payment of wages and benefits to a

1 student-athlete for work actually performed (but not for  
2 athletic ability or participation in intercollegiate  
3 athletics) at a rate commensurate with the prevailing rate  
4 for similar work in the locality of the student-athlete's  
5 postsecondary educational institution.

6 "Enrolled" means registered for courses or attending  
7 athletic practice or class at a postsecondary educational  
8 institution.

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

11 "Intercollegiate athletics program" means an  
12 intercollegiate athletics program played at the collegiate  
13 level for which eligibility requirements for participation by  
14 a student-athlete are established by a national association  
15 for the promotion or regulation of collegiate athletics.

16 "Likeness" means a physical, digital, rendering, or other  
17 depiction or representation of a student-athlete, including a  
18 student-athlete's uniform number or signature, that reasonably  
19 identifies the student-athlete with particularity and is not  
20 reasonably considered to be a generic representation of a  
21 member of an intercollegiate athletics program.

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

25 "Name, image, and likeness agreement" or "publicity rights  
26 agreement" means a contract or other written or oral

1 arrangement between a student-athlete and a third party  
2 licensee regarding the use of the name, image, likeness, or  
3 voice of the student-athlete.

4 "Publicity right" means any right that (i) is licensed  
5 under a publicity rights agreement or (ii) is recognized under  
6 a federal or State law that permits an individual to control  
7 and benefit from the commercial use of the name, image,  
8 likeness, or voice of the individual.

9 "Postsecondary educational institution" means a public  
10 university or community college or private university or  
11 college.

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

16 "Student-athlete" means a student ~~currently enrolled at a~~  
17 ~~postsecondary educational institution~~ who engages in, is  
18 eligible to engage in, or may be eligible in the future to  
19 engage in, an intercollegiate athletics program at a  
20 postsecondary educational institution. If an individual is  
21 permanently ineligible to participate in a particular  
22 intercollegiate sport, the individual is not a student-athlete  
23 for purposes of that sport.

24 "Third party licensee" means any individual or entity that  
25 licenses publicity rights or the use of name, image, likeness,  
26 or voice from any prospective or current student-athlete or

1 group of student-athletes. "Third party licensee" shall not  
2 include any national association for the promotion or  
3 regulation of collegiate athletics, athletics conference, or  
4 postsecondary educational institution.

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

6 (110 ILCS 190/10)

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

8 (1) A student-athlete may earn compensation,  
9 commensurate with market value, for the use of the name,  
10 image, likeness, or voice of the student-athlete ~~while~~  
11 ~~enrolled at a postsecondary educational institution~~ and  
12 obtain and retain an agent for any matter or activity  
13 relating to such compensation.

14 (2) A student-athlete may not earn compensation under  
15 this Act in exchange for the student-athlete's athletic  
16 ability or participation in intercollegiate athletics or  
17 sports competition ~~or agreement or willingness to attend a~~  
18 ~~postsecondary educational institution.~~

19 (3) (Blank). ~~Notwithstanding any other provision of~~  
20 ~~law or agreement to the contrary, a student-athlete shall~~  
21 ~~not be deemed an employee, agent, or independent~~  
22 ~~contractor of an association, a conference, or a~~  
23 ~~postsecondary educational institution based on the~~  
24 ~~student athlete's participation in an intercollegiate~~  
25 ~~athletics program.~~

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

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

6           (110 ILCS 190/15)

7           Sec. 15. Postsecondary educational institutions;  
8           limitations; prohibitions.

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

25          (b) Except as provided in this Act, an athletic



1 association, conference, or other group or organization with  
2 authority over intercollegiate athletic programs, including,  
3 but not limited to, the National Collegiate Athletic  
4 Association, the National Association of Intercollegiate  
5 Athletics, and the National Junior College Athletic  
6 Association, shall not prevent, or otherwise enforce a  
7 contract, rule, regulation, standard, or other requirement  
8 that prevents a student-athlete at a postsecondary educational  
9 institution from earning compensation as a result of the use  
10 of the student-athlete's name, image, likeness, or voice.

11 (c) To protect the integrity of its educational mission  
12 and intercollegiate athletics program, a postsecondary  
13 educational institution may impose reasonable limitations on  
14 the dates and time that a student-athlete may participate in  
15 endorsement, promotional, social media, or other activities  
16 related to the license or use of the student-athlete's name,  
17 image, likeness, or voice. Nothing in this Act shall restrict  
18 a postsecondary educational institution from exercising its  
19 sole discretion to control the authorized use of its marks or  
20 logos or to determine a student-athlete's apparel, gear, or  
21 other wearables during an intercollegiate athletics  
22 competition or institution-sponsored event. A student-athlete  
23 may not receive or enter into a contract for compensation for  
24 the use of the student-athlete's name, image, likeness, or  
25 voice in a way that also uses any registered or licensed marks,  
26 logos, verbiage, name, or designs of a postsecondary

1 educational institution, unless the postsecondary educational  
2 institution has provided the student-athlete with written  
3 permission to do so prior to execution of the contract or  
4 receipt of compensation. If permission is granted to the  
5 student-athlete, the postsecondary educational institution, by  
6 an agreement of all of the parties, may be compensated for the  
7 use in a manner consistent with market rates. A postsecondary  
8 educational institution may also prohibit a student-athlete  
9 from wearing any item of clothing, shoes, or other gear or  
10 wearables with the name, logo, or insignia of any entity  
11 during an intercollegiate athletics competition or  
12 institution-sponsored event.

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

24 (e) If allowed by a court order, a settlement agreement,  
25 an athletic association, conference, or other group or  
26 organization with authority over intercollegiate athletics

1 programs, or a policy of a postsecondary educational  
2 institution, the A postsecondary educational institution,  
3 athletic association, conference, or other group or  
4 organization with authority over intercollegiate athletics  
5 programs, including, but not limited to, the National  
6 Collegiate Athletic Association, the National Association of  
7 Intercollegiate Athletics, and the National Junior College  
8 Athletic Association, ~~may shall not~~ directly or indirectly:

9 (1) enter into, or offer to enter into, a publicity  
10 rights agreement with a prospective or current  
11 student-athlete; or

12 (2) provide a prospective or current student-athlete  
13 or the student-athlete's family compensation in relation  
14 to the use of the student-athlete's name, image, likeness,  
15 or voice.

16 (f) A postsecondary educational institution, athletic  
17 association, conference, or other group or organization with  
18 authority over intercollegiate athletics programs, including,  
19 but not limited to, the National Collegiate Athletic  
20 Association, the National Association of Intercollegiate  
21 Athletics, and the National Junior College Athletic  
22 Association, shall not prevent a student-athlete from  
23 obtaining professional representation for purposes of this Act  
24 in relation to name, image, likeness, or voice, or to secure a  
25 publicity rights agreement, including, but not limited to,  
26 representation provided by athlete agents or legal

1 representation provided by attorneys. A student-athlete shall  
2 provide the postsecondary educational institution with written  
3 notice and a copy of the agreement in the manner and at a time  
4 prescribed by the institution.

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

6 (110 ILCS 190/20)

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

8 (a) An agent, legal representative, or other professional  
9 service provider offering services to a student-athlete shall,  
10 to the extent required, comply with the federal Sports Agent  
11 Responsibility and Trust Act and any other applicable laws,  
12 rules, or regulations.

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

20 (c) A student-athlete shall disclose to the postsecondary  
21 educational institution in which the student is enrolled, in a  
22 manner and time prescribed by the institution, the existence  
23 and substance of all publicity rights agreements. Publicity  
24 rights agreements that contemplate cash or other compensation  
25 to the student-athlete that is equal to or in excess of a value

1 of \$500 shall be formalized into a written contract, and the  
2 contract shall be provided to the postsecondary educational  
3 institution in the manner and at a time prescribed by the  
4 institution.

5 (d) A student-athlete may not enter into a publicity  
6 rights agreement or otherwise receive compensation for that  
7 student-athlete's name, image, likeness, or voice for services  
8 rendered or performed while that student-athlete is  
9 participating in activities sanctioned by that  
10 student-athlete's postsecondary educational institution if  
11 such services or performance by the student-athlete would  
12 conflict with a provision in a contract, rule, regulation,  
13 standard, or other requirement of the postsecondary  
14 educational institution.

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

26 (f) A postsecondary educational institution may fund an

1 independent, third-party administrator to support education,  
2 monitoring, disclosures, and reporting concerning name, image,  
3 likeness, or voice activities by student-athletes authorized  
4 pursuant to this Act. A third-party administrator cannot be a  
5 registered athlete agent.

6 (g) ~~A No postsecondary educational institution may shall~~  
7 ~~provide compensation to a prospective or current~~  
8 ~~student athlete or enter into a publicity rights agreement~~  
9 ~~with a prospective or current student athlete. Nothing in this~~  
10 ~~Act shall require a postsecondary educational institution to~~  
11 ~~directly or indirectly identify, create, facilitate, arrange,~~  
12 ~~negotiate, or otherwise enable opportunities for a prospective~~  
13 ~~or current student-athlete to enter into a publicity rights~~  
14 ~~agreement with a third party.~~

15 (h) (Blank). ~~No student athlete shall enter into a~~  
16 ~~publicity rights agreement or receive compensation from a~~  
17 ~~third party licensee relating to the name, image, likeness, or~~  
18 ~~voice of the student athlete before the date on which the~~  
19 ~~student athlete enrolls at a postsecondary educational~~  
20 ~~institution.~~

21 (i) No student-athlete shall enter into a publicity rights  
22 agreement or receive compensation from a third party licensee  
23 for the endorsement or promotion of gambling, sports betting,  
24 controlled substances, cannabis, a tobacco or alcohol company,  
25 brand, or products, alternative or electronic nicotine product  
26 or delivery system, performance-enhancing supplements, adult

1 entertainment, or any other product or service that is  
2 reasonably considered to be inconsistent with the values or  
3 mission of a postsecondary educational institution or that  
4 negatively impacts or reflects adversely on a postsecondary  
5 educational institution or its athletic programs, including,  
6 but not limited to, bringing about public disrepute,  
7 embarrassment, scandal, ridicule, or otherwise negatively  
8 impacting the reputation or the moral or ethical standards of  
9 the postsecondary educational institution.

10 (Source: P.A. 102-42, eff. 7-1-21; 102-687, eff. 12-17-21;  
11 102-892, eff. 5-20-22.)

12 (110 ILCS 190/35)

13 Sec. 35. Liability.

14 (a) No postsecondary educational institution shall be  
15 subject to a claim for damages of any kind under this Act,  
16 including, but not limited to, a claim for unfair trade or  
17 competition or tortious interference. No postsecondary  
18 educational institution shall be subject to a claim for  
19 damages related to its adoption, implementation, or  
20 enforcement of any contract, rule, regulation, standard, or  
21 other requirement in compliance with this Act. This Act is not  
22 intended to and shall not waive or diminish any applicable  
23 defenses and immunities, including, but not limited to,  
24 sovereign immunity applicable to postsecondary educational  
25 institutions.

1       (b) No postsecondary educational institution or employee  
2 acting within the employee's course and scope of employment at  
3 a postsecondary educational institution is liable for damages  
4 related to the ability or inability of a student-athlete to  
5 earn compensation for the use of the student-athlete's name,  
6 image, likeness, or voice.

7 (Source: P.A. 102-42, eff. 7-1-21.)

8 (110 ILCS 190/40 new)

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

15 (110 ILCS 190/45 new)

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



1           Section 95. No acceleration or delay. Where this Act makes  
2 changes in a statute that is represented in this Act by text  
3 that is not yet or no longer in effect (for example, a Section  
4 represented by multiple versions), the use of that text does  
5 not accelerate or delay the taking effect of (i) the changes  
6 made by this Act or (ii) provisions derived from any other  
7 Public Act.".