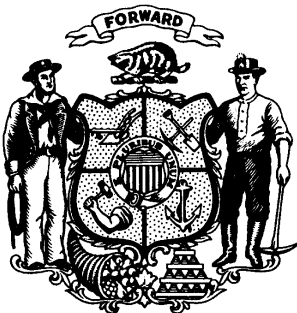


# State of Wisconsin



2025 Assembly Bill 1034

Date of enactment:  
Date of publication\*:

## 2025 WISCONSIN ACT

**AN ACT** to amend 20.285 (1) (gj); to create 20.285 (1) (cj), 20.285 (1) (ck), 20.285 (1) (cL), 36.11 (12) and subchapter VI of chapter 39 [precedes 39.91] of the statutes; relating to: name, image, and likeness rights for University of Wisconsin System student athletes; maintenance costs for University of Wisconsin–Madison intercollegiate athletic facilities; employment status of certain student athletes at private nonprofit institutions; and making an appropriation.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

**SECTION 1.** 20.005 (3) (schedule) of the statutes: at the appropriate place, insert the following amounts for the purposes indicated:

			2025-26	2026-27
<b>20.285 University of Wisconsin System</b>				
(1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC SERVICE				
(c) Athletic facilities maintenance; principal and interest	GPR	A	14,600,000	14,600,000
(ck) Klotsche Center maintenance; principal and interest	GPR	A	200,000	200,000
(cL) Phoenix Sports Center and Athletic Field Complex maintenance; principal and interest	GPR	A	200,000	200,000

**SECTION 2.** 20.285 (1) (cj) of the statutes is created to read:

20.285 (1) (cj) *Athletic facilities maintenance; principal and interest.* The amounts in the schedule for principal and interest costs for maintenance of University of Wisconsin–Madison intercollegiate athletic facilities.

**SECTION 3.** 20.285 (1) (ck) of the statutes is created to read:

20.285 (1) (ck) *Klotsche Center maintenance; principal and interest.* The amounts in the schedule for principal and interest costs for maintenance of the University of Wisconsin–Milwaukee Klotsche Center.

**SECTION 4.** 20.285 (1) (cL) of the statutes is created to read:

20.285 (1) (cL) *Phoenix Sports Center and Athletic Field Complex maintenance; principal and interest.* The amounts in the schedule for principal and interest

\* Section 991.11, WISCONSIN STATUTES: Effective date of acts. “Every act and every portion of an act enacted by the legislature over the governor’s partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication.”

costs for maintenance of the University of Wisconsin-Green Bay Phoenix Sports Center and Athletic Field Complex.

**SECTION 5.** 20.285 (1) (gj) of the statutes is amended to read:

20.285 (1) (gj) *Self-amortizing facilities principal and interest.* From revenues credited under par. (gb), a sum sufficient to reimburse s. 20.866 (1) (u) for any amounts advanced to meet principal and interest costs on self-amortizing university facilities and to make payments under an agreement or ancillary arrangement entered into under s. 18.06 (8) (a). ~~For projects authorized by the building commission on or after July 1, 2001, annually an amount equal to 40 percent of the principal and interest costs for maintenance of University of Wisconsin-Madison intercollegiate athletic facilities shall be paid from the appropriation under this paragraph.~~

**SECTION 6.** 36.11 (12) of the statutes is created to read:

36.11 (12) ATHLETIC PROGRAMS; NAME, IMAGE, AND LIKENESS RIGHTS. (a) In this subsection:

1. "Athletic association or conference" means any of the following:

- a. An athletic association with authority over an intercollegiate athletic program.
- b. An athletic conference with authority over an intercollegiate athletic program.
- c. Any group or organization other than those specified in subd. 1. a. and b. with authority over an intercollegiate athletic program.

2. "Intercollegiate athletic program" means a program established by an institution that allows sports played at the collegiate level for which eligibility requirements for participation by a student athlete are established by a national association or athletic conference that promotes or regulates collegiate athletics.

3. "Student athlete" means any student who attends or has agreed to attend an institution and participates or has agreed to participate in an intercollegiate athletic program.

(b) The board may enter into agreements providing for the compensation of student athletes for use of the student-athletes' name, image, or likeness.

(c) Neither the board nor an institution may adopt or enforce a policy that prohibits any of the following:

1. The use of a student-athlete's name, image, or likeness when the student athlete is not engaged in official team activities as defined by the board.
2. The student athlete from obtaining professional representation relating to the use of the student-athlete's name, image, or likeness, including representation by an agent or licensed attorney for legal matters.

(d) The board may not use general purpose revenue to create, facilitate, negotiate, support, assist with, or

otherwise enable opportunities for a student athlete to earn compensation for use of the student-athlete's name, image, or likeness.

(e) Compensation paid to a student athlete under this subsection is not a grant under sub. (6).

(f) A student athlete who enters into an agreement under this subsection to receive compensation for use of the student-athlete's name, image, or likeness is not an employee of the system because of the agreement.

(g) A student athlete shall disclose in the manner prescribed by the board or institution each 3rd-party agreement for the use of the student-athlete's name, image, or likeness before the student athlete enters into the agreement.

(h) A student athlete may not enter into an agreement for the use of the student-athlete's name, image, or likeness if any of the following applies:

1. Any provision of the agreement conflicts with a provision of an agreement of the board or with a policy of the board or a policy of the institution or an intercollegiate athletic program.

2. The compensation for the use of the student-athlete's name, image, or likeness in the agreement is provided in exchange for any of the following:

- a. Athletic performance.
- b. Endorsement of cigarettes, as defined in s. 134.65 (1a) (a); tobacco products, as defined in s. 134.65 (1a) (c); electronic vaping devices, as defined in s. 134.65 (1a) (b); alcohol beverages, as defined in s. 125.02 (1); gambling, including sports betting and casino gambling; banned athletic substances, including anabolic steroids; any illegal substance or illegal activity; or any other activity proscribed by the board.

(i) To protect competitive interests and student privacy, records relating to any of the following in the custody of the board, an institution, or other formally constituted subunit of the board are not subject to public inspection, copying, or disclosure under s. 19.35:

1. Any term or detail of an agreement or proposed agreement for the use of a student-athlete's name, image, or likeness.

2. Generation, deployment, or allocation of revenue generated by an intercollegiate athletic program that are the subject of reasonable efforts under the circumstances to maintain the secrecy of the records, when competitive reasons require confidentiality.

(j) Any person's activity that compensates a student athlete for the use of the student-athlete's name, image, or likeness may not be considered an act on behalf of the board if the person is a separate legal entity from the board and the board does not own or control the person.

(k) The board may enter into an affiliation agreement with a person to facilitate or assist with the development of opportunities for compensation of student

athletes for use of their name, image, or likeness rights, and for management of agreements and program revenue for the benefit of student athletes and the board.

**SECTION 6m.** Subchapter VI of chapter 39 [precedes 39.91] of the statutes is created to read:

**CHAPTER 39**

**SUBCHAPTER VI**

**OTHER HIGHER EDUCATION**

**39.91 Employment status of certain student athletes at private nonprofit institutions.** (1) In this section:

(a) "Intercollegiate athletic program" means a program established by a private institution of higher education that allows sports played at the collegiate level for which eligibility requirements for participation by a student athlete are established by a national association or

athletic conference that promotes or regulates collegiate athletics.

(b) "Private institution of higher education" means a private nonprofit postsecondary institution that is headquartered in this state and that is accredited, as defined in s. 39.30 (1) (d).

(c) "Student athlete" means any student who attends or has agreed to attend a private institution of higher education and participates or has agreed to participate in an intercollegiate athletic program.

(2) A student athlete who enters into an agreement for the compensation of the student athlete for use of the student-athlete's name, image, or likeness is not an employee of the private institution of higher education that the student athlete attends or has agreed to attend because of the agreement.

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