



**FILED**  
January 9, 2025  
OKLAHOMA SECRETARY  
OF STATE

J. Kevin Stitt  
Office of the Governor  
State of Oklahoma

**EXECUTIVE DEPARTMENT  
EXECUTIVE ORDER 2025-01**

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WHEREAS, the State of Oklahoma's postsecondary institutions are home to championship caliber athletics programs and outstanding student athletes who excel at the most competitive levels of intercollegiate athletics;

WHEREAS, the National Collegiate Athletic Association (the "NCAA") and several athletics conferences reached a proposed settlement agreement (the "Settlement") in *In re College Athlete NIL Litigation*, No. 4:20-cv-03919-CW (N.D. Cal.) (the "Litigation") which, upon final approval, would permit postsecondary institutions to provide direct payment to student athletes for, among other things, the use of such student athletes' name, image, and likeness ("NIL");

WHEREAS, until the Settlement is approved and effective, different legislative and executive actions across the country impose various rules and regulations concerning student athlete payments which perpetuate an inconsistent national landscape in intercollegiate athletics and potentially put Oklahoma's postsecondary institutions and their student athletes at a competitive disadvantage;

WHEREAS, such inconsistencies are further perpetuated by the fact that the NCAA Division I postsecondary institutions located in the State of Oklahoma belong to separate and distinct conferences, which creates a risk of different conference rules applying to each postsecondary institution, thereby disproportionately disadvantaging certain postsecondary institutions within the State of Oklahoma;

WHEREAS, while the Settlement is pending, other states have taken actions that authorize their postsecondary institutions to directly pay their student athletes for NIL; and

WHEREAS, student athletes attending the State of Oklahoma's postsecondary institutions should compete on a level playing field and not forego payments that are available to student athletes in other states or conferences while the Settlement is pending final approval:

NOW THEREFORE, I, J. Kevin Stitt, Governor of the State of Oklahoma, pursuant to the power and authority vested in me by Sections 1 and 2 of Article VI of the Oklahoma Constitution, and to the fullest extent permitted by law, hereby order as follows:

- A. That a postsecondary institution in the State of Oklahoma (that is covered by the Settlement) or a third party authorized to act on behalf of such postsecondary institution in the State of Oklahoma may facilitate payment to, offer payment to, or pay, or cause payment to be directed to, a current or prospective student athlete for the use of such student athlete's NIL.

- B. That neither the NCAA, any athletic conference, nor any other organization with authority over intercollegiate athletics, on its own behalf or on behalf of any of its member institutions, may entertain a complaint, open an investigation, or take any adverse action against a postsecondary institution in the State of Oklahoma or an officer, employee, regent, trustee, agent, volunteer, or current or prospective student athlete of a postsecondary institution in the State of Oklahoma, or any of their agents, for engaging in any activity described in this Executive Order.
- C. No postsecondary institution shall be permitted to use funds allocated by the State of Oklahoma for the payments contemplated by this Executive Order.
- D. The provisions of this Executive Order shall become effective upon signature and shall remain in effect until the earlier of:
1. The date that payments to student athletes for their NIL by State of Oklahoma postsecondary institutions are permitted by the final Settlement in the Litigation; or
  2. The effective date of any federal law enacted after the effective date of this Executive Order that regulates the rights of student athletes in the State of Oklahoma to receive payments as described herein.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Great Seal of the State of Oklahoma to be affixed at Oklahoma City, Oklahoma, this 9<sup>th</sup> day of January 2025.

**BY THE GOVERNOR OF THE STATE OF OKLAHOMA**

*K. St.*

ATTEST:



*Josh Cockroft*  
Josh Cockroft, Secretary of State