



State of Wisconsin

2025 - 2026 LEGISLATURE

LRB-6373/1
ARG:cdc&wlj

2025 ASSEMBLY BILL 1034

February 10, 2026 - Introduced by Representatives DALLMAN, KRUG and TITTL, cosponsored by Senator LEMAHIEU. Referred to Committee on State Affairs.

1 **AN ACT** **to amend** 20.285 (1) (gj); **to create** 20.285 (1) (cj), 20.285 (1) (ck),
2 20.285 (1) (cL) and 36.11 (12) of the statutes; **relating to:** name, image, and
3 likeness rights for University of Wisconsin System student athletes;
4 maintenance costs for University of Wisconsin–Madison intercollegiate
5 athletic facilities; and making an appropriation.

Analysis by the Legislative Reference Bureau

NAME, IMAGE, AND LIKENESS RIGHTS FOR UW STUDENT ATHLETES

The bill specifies certain rights and duties related to name, image, and likeness of University of Wisconsin System student athletes and athletic programs.

Under the bill, the Board of Regents of the UW System (board) may enter into agreements providing for the compensation of student athletes for use of their name, image, or likeness. Neither the board nor a UW System institution (institution) may adopt or enforce a policy that prohibits 1) the use of a student-athlete's name, image, or likeness when the student athlete is not engaged in official team activities; or 2) the student athlete from obtaining professional representation relating to the use of the student-athlete's name, image, or likeness.

The bill requires a student athlete to disclose each third-party agreement for the use of the student-athlete's name, image, or likeness before the student athlete enters into the agreement. A student athlete may not enter into an agreement for

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the use of the student-athlete's name, image, or likeness if 1) any provision of the agreement conflicts with a provision of an agreement of the board or a board, institution, or intercollegiate athletic program policy; or 2) the compensation for the use of the student-athlete's name, image, or likeness is provided in exchange for athletic performance or endorsement of certain products or activities, including tobacco products, alcohol beverages, gambling, banned athletic substances, an illegal substance or illegal activity, or an activity proscribed by the board.

Under the bill, the board may enter into an affiliation agreement to facilitate opportunities for student-athletes to be compensated 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.

The bill specifies that 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.

The bill includes an exemption from the open records law for records in the custody of the board, an institution, or other formally constituted subunit of the board relating to 1) any term or detail of an agreement or proposed agreement for the use of a student-athlete's name, image, or likeness; or 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.

DEBT SERVICE FOR ATHLETIC FACILITIES MAINTENANCE COSTS

Under current law, a portion of program revenues that are appropriated for debt service on certain UW System facilities is allocated for the payment of 40 percent of the principal and interest costs for maintenance of UW-Madison intercollegiate athletic facilities. The bill eliminates that allocation and instead appropriates \$14,600,000 annually in general purpose revenues to UW-Madison to finance debt service for such maintenance costs.

Additionally, the bill appropriates \$200,000 annually in general purpose revenues to finance debt service for maintenance costs of the UW-Milwaukee Klotsche Center and \$200,000 annually in general purpose revenues to finance debt service for maintenance costs of the UW-Green Bay soccer complex.

For further information see the state and local fiscal estimate, which will be printed as an appendix to this bill.

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

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

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1

2025-26**2026-27****2 20.285 University of Wisconsin System**

3 (1) UNIVERSITY EDUCATION, RESEARCH AND PUBLIC
4 SERVICE

5 (cj) Athletic facilities maintenance;

6 principal and interest GPR A 14,600,000 14,600,000

7 (ck) Klotsche Center maintenance;

8 principal and interest GPR A 200,000 200,000

9 (cL) Soccer complex maintenance;

10 principal and interest GPR A 200,000 200,000

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

12 20.285 (1) (cj) *Athletic facilities maintenance; principal and interest.* The
13 amounts in the schedule for principal and interest costs for maintenance of
14 University of Wisconsin-Madison intercollegiate athletic facilities.

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

16 20.285 (1) (ck) *Klotsche Center maintenance; principal and interest.* The
17 amounts in the schedule for principal and interest costs for maintenance of the
18 University of Wisconsin-Milwaukee Klotsche Center.

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

20 20.285 (1) (cL) *Soccer complex maintenance; principal and interest.* The
21 amounts in the schedule for principal and interest costs for maintenance of the
22 University of Wisconsin-Green Bay soccer complex.

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

24 20.285 (1) (gj) *Self-amortizing facilities principal and interest.* From revenues

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

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

10 **36.11 (12) ATHLETIC PROGRAMS; NAME, IMAGE, AND LIKENESS RIGHTS.** (a) In

11 this subsection:

12 1. “Athletic association or conference” means any of the following:

13 a. An athletic association with authority over an intercollegiate athletic
14 program.

15 b. An athletic conference with authority over an intercollegiate athletic
16 program.

17 c. Any group or organization other than those specified in subd. 1. a. and b.
18 with authority over an intercollegiate athletic program.

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

23 3. “Student athlete” means any student who attends or has agreed to attend

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1 an institution and participates or has agreed to participate in an intercollegiate
2 athletic program.

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

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

7 1. The use of a student-athlete's name, image, or likeness when the student
8 athlete is not engaged in official team activities as defined by the board.

9 2. The student athlete from obtaining professional representation relating to
10 the use of the student-athlete's name, image, or likeness, including representation
11 by an agent or licensed attorney for legal matters.

12 (d) The board may not use general purpose revenue to create, facilitate,
13 negotiate, support, assist with, or otherwise enable opportunities for a student
14 athlete to earn compensation for use of the student-athlete's name, image, or
15 likeness.

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

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

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

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(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

(i) Any person's activity that compensates a student athlete for the use of the

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1 student-athlete's name, image, or likeness may not be considered an act on behalf of
2 the board if the person is a separate legal entity from the board and the board does
3 not own or control the person.

4 (k) The board may enter into an affiliation agreement with a person to
5 facilitate or assist with the development of opportunities for compensation of
6 student athletes for use of their name, image, or likeness rights, and for
7 management of agreements and program revenue for the benefit of student athletes
8 and the board.

9 **(END)**