

Podcasts | September 13, 2022

## State Laws on NIL

### Highway to NIL Podcast

#### SPEAKERS

Callan G. Stein | Christopher M. Brolley

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The *Highway to NIL Podcast* analyzes the legal landscape concerning college athletics and the regulation of name, image, and likeness (NIL) rights of student athletes. The podcast provides key insights into the current state of affairs, focusing on the NIL guidance and policies coming directly from the NCAA; the various passed and amended state NIL laws; and NIL enforcement, including how the NCAA, state attorneys general, and other regulators may investigate and punish schools for NIL violations.

#### Episode 2: State Laws on NIL

Join Troutman Pepper litigators Cal Stein and Chris Brolley for a podcast series analyzing the legal landscape surrounding NIL rights for student athletes.

In this second installment, we analyze the myriad state laws associated with NIL rights and laws, including common elements and differences across states. Specific topics include:

- Overview of State NIL Legislation (0:54)
- Common Elements in State NIL Laws
  - Fair Market Value for NIL Compensation (5:33)
  - Compensation From Boosters/Third Parties (7:24)
  - Institutional Facilitation of NIL Opportunities (8:27)
  - Student Athlete Use of Institutional IP (10:18)
  - Timing of NIL Deals (11:31)
  - Limits on Professional Representation (Agents) (12:57)
- Jurisdiction: Which State Laws Apply (13:40)
- Conflicts Between State Laws and NCAA Guidance (16:38)

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