

LEGISLATURE OF NEBRASKA
ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 1046

Introduced by McKinney, 11.

Read first time January 14, 2026

Committee:

- 1 A BILL FOR AN ACT relating to education; to define terms; to provide for
- 2 school policies relating to certain name, image, and likeness rights
- 3 for certain high school students; and to provide powers and duties
- 4 to the State Board of Education and school boards as prescribed.
- 5 Be it enacted by the people of the State of Nebraska,

1 **Section 1.** (1) For purposes of this section:

2 (a) Commercial name, image, and likeness activity means any
3 transaction or agreement in which a student-participant receives
4 compensation, monetary or otherwise, in exchange for use of such
5 student's name, image, and likeness;

6 (b) Name, image, and likeness means attributes that identify a
7 specific person, including such person's name, image, likeness, voice,
8 signature, or other personal identifiers;

9 (c) School property and identifiers includes any school name,
10 mascot, logo, uniform, facility, equipment, or official game or practice
11 recording; and

12 (d) Student-participant means a high school student in this state
13 who participates in interscholastic athletics or activities at a high
14 school that is a member of an athletics or activities association.

15 (2) On or before January 1, 2027, the State Board of Education shall
16 adopt a model policy relating to name, image, and likeness rights of
17 student-participants. Such policy shall:

18 (a) Allow a student-participant to:

19 (i) Engage in commercial name, image, and likeness activities
20 individually or with assistance from agents, attorneys, or
21 representatives; and

22 (ii) Retain eligibility to participate in interscholastic athletics
23 or activities at such high school, as long as such commercial name,
24 image, and likeness activity complies with school policy and the policies
25 of any athletic or activities association of which such student-
26 participant's school is a member;

27 (b) Prohibit a student-participant from engaging in any commercial
28 name, image, and likeness activity that:

29 (i) Uses or refers to school property and identifiers or conflicts
30 with any school contract or any contract of the athletic or activities
31 association to which such school is a member, except that a student-

1 participant may submit game footage or performance materials for purposes
2 of scholarship offers or postsecondary recruitment purposes;

3 (ii) Occurs during official school hours or the hours of such
4 student-participant's school-sponsored athletic event or activity;

5 (iii) Is used by any individual or organization, including a school
6 or school employee, to recruit or induce a student-participant to enroll
7 in or transfer to such school; and

8 (iv) Promotes any of the following:

9 (A) Alcohol, tobacco, vaping products;

10 (B) Controlled substances;

11 (C) Gambling, lotteries, or sports betting;

12 (D) Adult entertainment;

13 (E) Weapons or firearms;

14 (F) Any illegal products or services; or

15 (G) Any content in violation of federal, state, or school policy;

16 (c) Include a process for a student-participant to disclose any
17 commercial name, image, or likeness activity to a designated school
18 official prior to or within five business days of engaging in a
19 commercial name, image, or likeness activity for approval or review. Such
20 process shall include an appeal process;

21 (d) Require a designated school official to notify any applicable
22 athletic or activities association to which such school is a member of
23 any information received pursuant to subdivision (2)(c) of this section
24 as soon as administratively possible after receiving such disclosure;

25 (e) Include procedures for specific commercial name, image, or
26 likeness activities disclosure and review of any contract signed by a
27 student-participant or the parent or legal guardian on behalf of a
28 student-participant that is younger than eighteen years of age;

29 (f) Specify how such policy will be enforced and any penalties for
30 noncompliance with the policy, which should not include monetary
31 penalties, but may include temporary ineligibility for athletic or

1 activity participation; and

2 (g) Include education for student-participants and their families on
3 commercial name, image, and likeness activities, including tax and
4 financial implications.

5 (3) Beginning with school year 2027-28, each school board of a
6 school district that provides school-sponsored interscholastic athletics
7 or activities and is a member of an athletic or activities association
8 shall adopt a policy consistent with the model policy developed by the
9 State Board of Education pursuant to this section.

10 (4) A student-participant shall not be penalized, declared
11 ineligible, or disciplined by a school district or athletic association
12 to which such student-participant's school is a member for participating
13 in any commercial name, image, or likeness activity conducted in
14 accordance with a school policy adopted pursuant to this section.