



## **NAME, IMAGE, AND LIKENESS (NIL) TASK FORCE MEETING MINUTES**

Tuesday, September 30, 2025 ▪ 10:00 a.m. – 12:00 p.m.

Governor's Press Room. State Capitol, 4th Floor  
900 North Third Street, Baton Rouge, LA 70802

| Members Present         | Affiliation   |
|-------------------------|---|
| Rep. Rashid Young       | House of Representatives, Chair   |
| Verge Ausberry          | Executive Deputy Director of Athletics, LSU A&M                                       |
| Heath Schroyer          | Vice President/Director of Athletics, McNeese State University                        |
| J.T. Curtis             | John Curtis Christian School  |
| Dr. Grady Smith         | Woodlawn High School  |
| Dr. Amber Blair (proxy) | Executive Director for Student Compliance, Equity, and Governance, LCTCS              |
| Johnny Giavotella       | General Manager of the University of New Orleans Baseball Team                        |
| Jolee Liles             | Outreach Representative/NIL Specialist, Attorney General's Office                     |
| Chloe Magee             | Student-Athlete – Women's Softball, Southeastern Louisiana University                 |
| Jonathan Terrell        | Vice President of Collegiate Athletics & Athletic Director, Nicholls State University |
| Dr. Bryan Maggard       | VP for Intercollegiate Athletics, UL Lafayette  |
| Phillippe Carter        | Assistant Athletic Director of Internal Operations, SUBR                              |
| Sheridan Cooper         | Director for Compliance, SUNO   |
| Ryan Ivey               | Vice President and Director of Athletics, Louisiana Tech University                   |

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|--------------------------|--|
| David Aubrey             | AT&T Louisiana   |
| Kennedy Jones            | Interim Director, Office for Civil Rights and Title IX, Grambling State University |
| Misti Cordell (proxy)    | Louisiana Board of Regents   |
| Keira Miracle-Tilford    | Student-Athlete – Women's Softball, SUBR   |
| Members Absent           | Affiliation  |
| Amaya Messier            | Student-Athlete – Women's Beach Volleyball, LSU A&M                                |
| Rep. Tehmi Jahi Chassion | House of Representatives   |
| Lucas Morgan             | Director of Athletics, LSUS  |
| Brandon Shelvin          | Founding Partner, Southern Coast Sports  |

#### CALL TO ORDER/ ROLL CALL

Rep. Rashid Young called the meeting to order at 10:02 a.m. on Tuesday, September 30, 2025. Roll was taken by Ms. Brianna Golden Phillips, and a quorum was established.

#### APPROVAL OF MINUTES

Rep. Young asked for a motion to approve the August 26, 2025, meeting minutes. On motion of Mr. Verge Ausberry, seconded by Mr. Jonathan Terrel, the minutes were approved.

#### WELCOME/ INTRODUCTIONS

Rep. Young welcomed the Task Force members, thanking everyone for their continued engagement. He then recognized and invited Louisiana Attorney General Liz Murrill, to share brief remarks.

Attorney General Murrill thanked Rep. Young for convening the Task Force and emphasized the importance of the group's work in addressing the evolving landscape of Name, Image, and Likeness (NIL) policy in Louisiana. She discussed the complexity and far-reaching implications of NIL for both higher education and high school athletics.

She shared that the Louisiana Department of Justice has been directly involved with NIL through initiatives funded by settlement money from an anti-vaping lawsuit, noting that her office launched an NIL-based outreach program that partners with student-athletes to promote anti-vaping education. Over 100 student-athletes representing Louisiana's public postsecondary institutions joined the initiative. The program targets sixth-grade students, a key age group for preventative education, prioritizes athletes who may not typically receive NIL deals, and has attracted high-profile participants, such as LSU A&M quarterback Garrett Nussmeier.

Attorney General Murrill emphasized the importance of the Task Force's role in identifying emerging issues and developing strategies to ensure fairness, transparency, and sustainability within the NIL system. She advised that the Task Force's work will include continuously identifying and addressing new challenges as they arise. She further highlighted the importance of including high school athletics in the NIL conversation, suggesting that the Louisiana High School Athletic Association (LHSAA) should be invited to future meetings to ensure alignment across education levels.

Rep. Young thanked Attorney General Murrill for her remarks, noting the significance of her office's involvement in the NIL discussion.

### NIL UPDATES

Ms. Jolee Liles, Outreach Representative and NIL Specialist with the Office of the Attorney General, provided an update on recent NIL developments and other topics of interest:

- (1) The SCORE Act – Currently the legislation is stalled after initially appearing likely to pass the House. Congressional legislators are entering into new negotiations to address post-graduate healthcare, athlete representation on NCAA committees, state oversight and enforcement, and school liability protections.
- (2) House Settlement and High School Athletes – Ms. Liles clarified that only collegiate athletes had legal representation in *House v. NCAA*, indicating that high school athletes were not mentioned in the settlement. There are concerns, however, about the NCAA's proposal requiring high school athletes to submit NIL deals to NILGO, which emphasize the need to educate these students about NIL agreements.
- (3) Louisiana High School NIL – In April 2022, the Louisiana High School Athletic Association (LHSAA) issued a press release permitting NIL participation for student-athletes in compliance with Bylaw 1.25 on amateur status. The release also announced a partnership between LHSAA and Ecker Sports, described as an informational platform designed to support student-athletes, coaches, parents, and administrators as they navigate NIL in high school sports. Ms. Liles shared that she personally completed Ecker Sports' 30-minute NIL course, which provides definitions, legislative context, and guidance for athletes receiving NIL compensation. She expressed concern that access to the course requires payment and questioned whether schools have licensing agreements to cover student participation. She further noted that while the course defines key terms, it does not offer practical guidance on how athletes can protect themselves from unfair practices.

Ms. Liles noted that the LHSAA's July 2024 press release announced the launch of an NIL Club app designed to provide students with educational resources, tools, and support to help them maximize their NIL opportunities. The release stated that students could use the app to post content, gain subscribers, and earn income through subscriptions. Ms. Liles shared that she had not yet accessed the app but raised questions about its usage rates, effectiveness, and quality of its educational content. She referenced feedback from previous meetings and pointed out that the Georgia High School Association prohibits its athletes from using the NIL Club app, suggesting

that Louisiana should similarly evaluate whether the platform offers meaningful educational benefits. She further explained that Louisiana's current bylaw does not explicitly address NIL, but focuses on preserving amateur status. Under this rule, athletes are prohibited from accepting money beyond expense reimbursement, signing contracts for payment, or receiving compensation for competing in or attending events.

Ms. Liles also provided a comparison of high school NIL policies across several southern states, highlighting how Louisiana's approach aligns and differs from states such as Texas, Mississippi, Arkansas, Alabama, and Florida. She explained that Texas prohibits NIL activities for high school athletes under 17 unless they are enrolled in college. In Mississippi, the high school athletic association prohibits NIL participation, though state law defines "student-athlete" broadly—covering those recruited or signed to college programs—resulting in some committed athletes deferring compensation until they enter college. Arkansas' high school athletic bylaws, like Louisiana's, focus on amateurism rather than NIL, but its state law restricts NIL eligibility to athletes committed to in-state institutions, likely as a strategy to retain local talent. Alabama continues to ban NIL for high school athletes and has faced multiple failed legislative efforts due to overly narrow proposals.

In contrast, Florida allows high school athletes to participate in NIL activities and has adopted explicit NIL bylaws through the FHSAA, which also provides educational one-pagers and online NIL training resources. Ms. Liles suggested that Louisiana should consider adding clear NIL provisions to LHSAA bylaws to better protect and educate student-athletes. She emphasized that while many states are still developing their NIL policies, Louisiana could learn from these examples to establish stronger educational supports and safeguards for its athletes.

Ms. Misti Cordell asked whether a high school student who is dually enrolled in college courses could receive NIL compensation. Ms. Liles explained that while Louisiana students may participate in NIL, in some other states, dual-enrolled or committed athletes engage by deferring compensation until their college eligibility officially begins. Mr. Johnny Giavotella then inquired whether colleges are brokering NIL deals to attract recruits. Ms. Liles clarified that universities are not permitted to discuss revenue-sharing agreements until August 1 of a student's senior year; however, she noted that some third parties affiliated with certain schools may reach out to prospective athletes. She added that while Florida's FHSAA explicitly prohibits recruiting inducements in its bylaws, the LHSAA currently lacks a clear policy addressing this issue.

Rep. Young thanked Ms. Liles for her presentation and acknowledged the presence of new attendees, pausing the meeting to allow for introductions:

Dr. Amber Blair, Task Force proxy representing the Louisiana Community and Technical College System, shared that she comes from a family of athletes and appreciates the Task Force's focus on NIL and its impacts. Ms. Kira Miracle Tilord, a senior softball player at Southern University, expressed her appreciation for being included in the discussion. Rep. Young thanked her for participating and noted that he looks forward to hearing about her perspective as a student-athlete.

Mr. Michael Victorian introduced himself as an attorney who represents both high school and college student-athletes on NIL matters. He expressed appreciation for the opportunity to contribute his perspective and expertise.

#### OPEN DISCUSSION: HIGH SCHOOL NIL

Rep. Young invited Mr. J.T. Curtis and Dr. Grady Smith to share their insights and express their concerns about high school NIL and its impact on student-athletes.

Mr. J.T. Curtis opened by expressing concern over the lack of regulations to safeguard young athletes, highlighting that students as young as 13 and 14 are being targeted by unqualified individuals claiming they can advance these students' athletic careers, which may put minors at risk of exploitation. Mr. Curtis shared that he recently received a professional NIL contract aimed at high school athletes from a legitimate sports organization seeking to gain an early advantage in the NIL market. The five-page agreement would bind athletes through college and impose commission rates of 10 to 20 percent on all earnings and purchases. He stressed that such terms would be unacceptable even in professional sports and urged the Task Force to clarify the extent of LHSAA's authority to regulate representation, protect athletes, and enforce standards.

Regents Chair Cordell asked how compensation under such contracts would be handled. Coach Curtis explained that any NIL or university-issued payment to the athlete would be subject to the contract's commission fee, with payment required within 30 days. Ms. Sheridan Cooper asked whether the contract included any academic requirements or grade-point average stipulations. Coach Curtis responded that it did not, noting that the contract focused primarily on legal protections for the agency.

Attorney General Murrill encouraged members to consider enhancing consumer protections within NIL contracting. She explained that athlete agents must register with her office and, although the registration system is not yet fully developed, it could be strengthened by recommendations from the Task Force. She noted that her office could apply unfair and deceptive trade practice laws as a foundation but stressed the need for clear legislation to cap agent fees, define permissible practices, and ensure proper disclosures for underage athletes who lack full contracting capacity.

Mr. Jonathan Terrell expressed concerns about agents who contact universities on behalf of players for personal gain. Mr. Verge Ausberry confirmed that such informal arrangements are common in athletics. Rep. Young pointed out that Louisiana's NIL laws include a "marketing representative" provision that allows individuals to represent athletes without registering as agents and suggested that the Task Force examine whether this loophole requires consideration.

Attorney General Murrill acknowledged existing gaps in registration and stressed the need for stronger oversight. She stated that anyone acting in a representational role—other than parents of minors—should be required to register to ensure accountability and prevent exploitation. She noted that NIL is likely to alter this dynamic. While parents can represent their children until they turn 18, she emphasized that once compensation is involved, parents should be considered agents.

Mr. Ryan Ivey highlighted the distinction between legitimate representatives and those who exploit student-athletes. He emphasized the need for clear legal definitions and education for athletes and their

families to ensure they understand representation requirements and protections. Mr. Giavotella added that similar contracts are common in professional sports, where companies provide upfront payments in exchange for a percentage of athletes' future earnings. He cautioned that these practices are increasingly extending into high school athletics and called for safeguards to prevent abuse.

Attorney General Murrill responded that such contracts could potentially be prohibited under Louisiana public policy if found to be exploitative and suggested legislative action to declare certain types of NIL contracts null and void. Mr. Skip Phillips noted that the state has the authority to regulate fee structures and emphasized that enforceable protections should be established through state law rather than association bylaws. He recommended requiring representatives to register with the Attorney General's Office, complete an educational certification, and face penalties such as forfeiture of payment or contract invalidation if they operate without registration. Rep. Young agreed that these measures could help close loopholes and strengthen oversight to ensure fairness and transparency in NIL representation.

Ms. Golden Phillips inquired about how conflicts with school sponsorships would be managed, presenting a scenario in which a high school athlete committed to LSU A&M signs an NIL deal with Pepsi, despite LSU A&M's exclusive sponsorship agreement with Coca-Cola. Ms. Liles responded that under Louisiana law schools may restrict NIL agreements that conflict with existing sponsorships. Mr. Ausberry and Ms. Taylor Jacobs confirmed that while universities can deny the use of institutional property or branding in such situations, they cannot prevent athletes from signing personal NIL deals. Rep. Young suggested that similar provisions be incorporated into high school NIL contracts, requiring university approval once an athlete enrolls.

Mr. Ausberry noted that LSU A&M is monitoring federal developments like the SCORE Act before updating NIL policies. He cautioned that overly strict state rules could disadvantage Louisiana schools by pushing families toward out-of-state programs with different NIL regulations. Highlighting the complexity of NIL governance, he explained that agent commissions typically range from 10 to 20 percent but are decreasing. Rep. Young asked if poorly structured high school NIL contracts could hurt in-state recruitment. Mr. Ausberry confirmed that they could, adding that some high school athletes have already signed pre-college NIL deals.

Mr. Michael Victorian noted that 10 percent commissions can be low, with some agreements reaching 25 to 50 percent. He warned that many contracts are disguised as "licensing agreements," granting companies long-term control over an athlete's NIL rights and sometimes involving loans. Describing these deals as dangerous and exploitative—particularly for young athletes and families lacking legal expertise—he urged the Task Force to consider strict commission caps and stronger oversight. Coach Curtis agreed, noting the contract he presented was legitimate but that more predatory versions exist. Attorney Skip Phillips also questioned whether current association-based oversight is sufficient.

Mr. Giavotella questioned why a student-athlete should not be allowed to work with a marketing agent if their school lacks the infrastructure to secure NIL opportunities. Mr. Victorian agreed, noting that hiring a marketing agent can benefit athletes, but stressed that all contracts should be reviewed by legal counsel before signing. Mr. Phillips then asked about typical commission rates for such arrangements. Mr. Victorian explained that commissions vary: professional athlete salary commissions are usually capped between two and five percent, while endorsement deals can reach up to 20 percent. He clarified that

revenue-sharing agreements resemble salaries, whereas third-party marketing deals often command higher commissions due to the work and negotiation involved.

Ms. Jacobs inquired whether agents negotiate revenue-sharing arrangements, to which Mr. Ausberry affirmed. He proposed that any caps on agent commissions should be tiered according to the nature of services rendered, noting that some agents also manage specialized services such as performance training and mental health programs. He further explained that athletes may claim these services as deductible business expenses, demonstrating the increasing sophistication of agents in structuring NIL contracts.

Dr. Smith emphasized the growing disconnect of college-level NIL developments from high school awareness. After surveying superintendents, principals, coaches, and athletic directors statewide, he found widespread confusion and limited understanding of NIL, noting that most educators have never reviewed a contract. He identified two primary concerns among high school administrators: the use of NIL funds to recruit students, undermining competitive balance, and inequities favoring wealthier schools or boosters.

Dr. Smith stressed the need for standardized training for administrators, parents, coaches, and students, as well as clear protocols defining the roles of the state, LHSAA, and individual schools. He noted that principals are responsible for student protection but currently lack guidance and resources. Given disparities in athletic program sizes, he underscored the importance of consistent protections across schools. He echoed Attorney General Murrill's call for greater LHSAA involvement in the Task Force, urging direct participation from Executive Director Eddie Bonine or the executive committee to ensure alignment. Concluding, Dr. Smith remarked that "the college system is on a jet, while high schools are just leaving the train station," highlighting the urgency for high schools to keep pace with NIL developments.

Rep. Young thanked Dr. Smith and agreed that maintaining communication with LHSAA leadership is vital.

#### DUTY OF CARE OWED TO HIGH SCHOOL ATHLETES

Mr. Phillips outlined Louisiana's legal protections for minors in contracting, noting that agents owe fiduciary duties to prioritize the student-athlete's interests and that valid contracts require capacity, consent, consideration, and a lawful object. Because minors under 18 lack contractual capacity, agreements they sign are generally invalid unless an exception applies. He explained that Louisiana law allows minors to benefit from NIL deals through tutorship, where a parent or court-appointed guardian acts on their behalf. If no legal guardian exists, the court appoints both a tutor and an under-tutor to manage and oversee the minor's interests.

Ms. Miracle Tilford asked how these rules intersect with custody arrangements. It was explained that under Louisiana civil law, custody and tutorship are distinct legal concepts. Custody grants authority to make decisions related to a child's education or medical care, while tutorship is a judicial appointment authorizing someone to act on a minor's behalf in legal and financial matters, including signing contracts and managing income. Attorney General Murrill added that courts may appoint a custodial parent as tutor

during custody proceedings when appropriate, but many family arrangements occur outside the court system, which could complicate NIL-related contracting.

Attorney Skip Phillips explained that custody covers routine decisions, while tutorship is a legal appointment allowing someone to manage a minor's financial and contractual matters. Courts may appoint a tutor and under-tutor and restrict fund use, such as by requiring protected accounts. He noted that similar safeguards to those in place for accident settlements and trust arrangements could protect NIL earnings. Mr. Phillips stressed that NIL agreements signed without proper legal authority are invalid and urged the Task Force to include education on these protections in future legislation or registration programs.

Attorney General Murrill noted that while Louisiana has strong legal protections, additional safeguards could improve NIL contracting. She recommended requiring all NIL agreements to be in writing with clear terms, cautioning that oral agreements create legal risks. She proposed allowing her office to review contracts upon request, without making them public, and supported consumer-style protections requiring key terms—such as payment, arbitration, and cancellation—to be clearly stated in plain language. She also emphasized transparency in arbitration clauses, to ensure families understand their obligations.

Mr. Phillips agreed that clear written documentation is essential to protect both athletes and agents. Rep. Young thanked Mr. Phillips for his presentation and acknowledged Attorney General Murrill's contributions, noting the importance of these legal distinctions for student-athletes, particularly those living with relatives without formal guardianship.

#### HIGH SCHOOL ATHLETE REPRESENTATION

Rep. Young introduced Attorney Michael Victorian of Phelps Dunbar LLP, highlighting his experience in NIL contracting and compliance. Mr. Victorian shared that his background in employment law and litigation led him to advise high school athletes, emphasizing contract review, academic readiness, risk awareness, and character development.

He outlined common contract red flags, including exclusivity clauses, unclear termination terms, vague payment schedules, indemnification clauses against minors, unilateral compensation changes, lifetime NIL rights, and hidden fees. He explained that his work focuses on reviewing agreements to identify unfair terms and ensure compliance with state law and school policies. He also noted that NIL agreements should end with athletic eligibility, prohibit performance-based pay, and meet fair market value standards under the House settlement.

Ms. Golden Phillips asked about NIL policies at the high school level. Mr. Victorian noted that while some schools with strong athletic programs have begun creating their own policies, most focus on brand protection rather than student education. He encouraged the LHSAA to adopt a statewide NIL policy and bring in qualified professionals to educate athletes and families. He also stressed the importance of setting realistic financial expectations, explaining that most NIL deals range from \$2,500 to \$10,000 and require sound financial management. He recommended legal review of all agreements, verification of collectives and payment sources, and financial literacy support, including the use of LLCs or trusts to manage



income. Performance-based contracts, he added, would violate LHSAA eligibility rules and risk athletes' amateur status.

Dr. Smith raised concerns about NIL being used to circumvent residency rules, giving an example of businesses offering payments to encourage transfers. Mr. Victorian noted that existing LHSAA recruiting rules likely apply, though loopholes remain. Coach Curtis stressed the need for agent certification and enforceable consequences for violations. Mr. Phillips agreed, recommending automatic invalidation of contracts facilitated by unqualified agents and shared liability for agents and brands. He also highlighted the Attorney General's authority to revoke registrations or issue injunctions, suggesting these powers be built into future policy recommendations.

Mr. Phillips asked when Mr. Victorian typically becomes involved in NIL matters. Mr. Victorian explained that families usually seek his guidance during the recruiting phase, often in 11th grade, when NIL opportunities and outside actors, including unqualified intermediaries, begin to multiply, creating legal and compliance risks for students and families.

Rep. Young thanked Mr. Victorian for his excellent presentation.

#### PUBLIC COMMENTS

Mr. Mark Naccari, representing himself, addressed the Task Force, drawing a parallel between the current NIL discussions and existing state protections for minors in the film industry. He referenced Louisiana's version of the Coogan Act, which requires that when a minor earns more than \$500 through a contractual engagement in the entertainment industry, 15% of those earnings must be placed in a trust account. This safeguard is designed to ensure that minors retain access to a portion of their income upon reaching adulthood and to protect against the potential misuse of funds by parents or guardians. Mr. Naccari suggested that, rather than drafting entirely new legislation, the Task Force could consider referencing or adapting the Coogan Act framework to extend similar financial protections to student-athletes engaged in NIL agreements.

Mr. David Aubrey expressed interest in identifying Louisiana institutions that could contribute academic or practical expertise in the area of sports representation and NIL. He inquired specifically about Graduate Sports Administration programs that might serve as resources for NIL education and policy development. Mr. Aubrey emphasized the importance of establishing a centralized repository of unbiased, research-based information to help student-athletes, families, and coaches effectively navigate NIL opportunities.

He noted that many families lack the resources to engage large law firms and suggested that state institutions could play a valuable role in providing support, training, and advisory services. Mr. Aubrey also highlighted that NIL issues are emerging at increasingly younger ages, including among ninth and tenth graders, underscoring the need for proactive planning. He encouraged the Task Force to explore institutional partnerships that could help families make informed decisions.

#### FUTURE MEETINGS

Ms. Golden Phillips announced that the next meeting of the Task Force will be held on October 28, 2025, noting that it will likely be longer in duration to allow members sufficient time to review and discuss draft legislative recommendations, including those related to high school NIL issues, legal considerations, and contract standards. She added that there will be no meeting in November, to give staff and members time to refine proposals and prepare supporting materials. The Task Force is scheduled to reconvene in December to consider and finalize its recommendations.

#### ADJOURNMENT

Rep. Young requested a motion to adjourn. On motion of Mr. Jonathan Terrell, seconded by Mr. Kennedy Jones, the meeting was adjourned at 11:56 a.m.