

HOUSE BILL 335

57TH LEGISLATURE - STATE OF NEW MEXICO - SECOND SESSION, 2026

INTRODUCED BY

Dayan Hochman-Vigil

AN ACT

RELATING TO STUDENT ATHLETE COMPENSATION; PROVIDING THAT ALL DOCUMENTS AND RECORDS RELATED TO STUDENT ATHLETE COMPENSATION FOR THE USE OF A STUDENT ATHLETE'S NAME, IMAGE, LIKENESS OR ATHLETIC REPUTATION ARE CONFIDENTIAL AND EXEMPT FROM PUBLIC INSPECTION EXCEPT WHEN REQUIRED FOR REGULATORY COMPLIANCE.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF NEW MEXICO:

SECTION 1. Section 21-31-3 NMSA 1978 (being Laws 2021, Chapter 124, Section 3, as amended) is amended to read:

"21-31-3. STUDENT ATHLETE COMPENSATION.--

A. A post-secondary educational institution shall not:

(1) uphold any rule, requirement, standard or other limitation that prevents a student athlete of that institution from fully participating in athletics without

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penalty:

(a) for receiving food, shelter, medical expenses or insurance from a third party; or

(b) for earning compensation from a third party as a result of the use of the student athlete's name, image, likeness or athletic reputation; [or]

(2) prevent a student athlete from receiving third-party compensation for using the student athlete's name, image, likeness or athletic reputation when the student athlete is not engaged in official, mandatory team activities; or

(3) disclose or make available for inspection, examination or reproduction any document or record related to student athlete compensation for the use of a student athlete's or prospective student athlete's name, image, likeness or athletic reputation except to the extent such disclosure is required by court order or for compliance with applicable athletic association or conference rules.

B. Earning compensation from the use of a student athlete's name, image, likeness or athletic reputation shall not affect a student athlete's grant-in-aid or stipend eligibility, amount, duration or renewal. For the purposes of this section, a grant-in-aid or stipend shall not be revoked or reduced as a result of a student athlete earning compensation pursuant to this section.

C. A third party shall not offer a student athlete

1 a contract to provide compensation to the student athlete for
2 use of the student athlete's name, image, likeness or athletic
3 reputation that requires a student athlete to advertise for the
4 sponsor in person during official, mandatory team activities
5 without the approval of the student athlete's post-secondary
6 educational institution."

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