



Legislative Fiscal Bureau

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March 11, 2026

TO: Members
Joint Committee on Finance

FROM: Bob Lang, Director

SUBJECT: Assembly Bill 1034: UW System Student Athletes and Athletic Facilities Maintenance Costs

Assembly Bill 1034 was introduced on February 10, 2026, and referred to the Assembly Committee on State Affairs. The Committee held a public hearing on the bill on February 11, 2026. On February 12, the Committee recommended the bill for passage by a vote of Ayes, 10, Noes, 0. The bill was referred to the Assembly Committee on Rules on February 12, 2026. Assembly Amendment 1 was adopted on February 19, 2026, and the bill was passed by a vote of Ayes 95, Noes 1, on the same date.

SUMMARY OF BILL

UW System Name, Image, and Likeness Rights

AB 1034 would specify that the Board of Regents may enter into agreements providing for the compensation of student athletes for use of the student-athlete's name, image, or likeness. The bill would define "student athlete" as any student who attends or has agreed to attend an institution and participates or has agreed to participate in an intercollegiate athletic program. "Intercollegiate athletic program" would be defined as a program established by an institution that allows sports played at the collegiate level for which eligibility requirements for participation by a student athlete are established by a national association or athletic conference that promotes or regulates collegiate athletics. Under the bill, an athletic association or conference means any of the following: (a) an athletic association with authority over an intercollegiate athletic program; (b) an athletic conference with authority over an intercollegiate athletic program; or (c) any group or organization other than the preceding two types of groups with authority over an intercollegiate athletic program.

In addition, the bill would prohibit the Board or a UW System institution from adopting or enforcing a policy that prohibits any of the following: (1) the use of a student-athlete's name, image, or likeness when the student athlete is not engaged in official team activities as defined by the Board;

and (2) the student athlete from obtaining professional representation relating to the use of the student-athlete's name, image, or likeness, including representation by an agent or licensed attorney for legal matters. Further, the bill would prohibit the Board from using GPR to create, facilitate, negotiate, support, assist with, or otherwise enable opportunities for a student athlete to earn compensation for use of the student-athlete's name, image, or likeness. The bill would also specify that compensation paid to a student athlete is not a financial aid grant under s. 36.11(6) of the statutes and that a student athlete who enters into an agreement to receive compensation for use of their name, image, or likeness is not an employee of the UW System because of the agreement.

In addition, the bill would require a student athlete to disclose, in the manner prescribed by the Board or UW System institution, each third-party agreement for the use of their name, image, or likeness, before the student athlete enters into the agreement. Further, the bill specifies that a student athlete may not enter into an agreement for 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 with a policy of the Board or a policy of the institution or an intercollegiate athletic program; and (2) if the compensation is provided in exchange for athletic performance or endorsement of cigarettes, tobacco products, 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.

Under the bill, the Board of Regents may enter into an affiliation agreement with a person to facilitate or assist with the development of 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 would specify 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.

In addition, the bill would specify that to protect competitive interests and student privacy, records related to any of the following in the custody of the Board, a UW System institution, or other formally constituted subunit of the Board are not subject to public inspection, copying, or disclosure under section 19.35 of the statutes: (1) any term or detail of an agreement or proposed agreement for the use of a student-athlete's name, image, or likeness; and (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.

UW System Athletic Facilities Maintenance

Under current law, generally, self-amortizing building projects (such as many UW facilities) that are funded with PR bonding are provided PR-funded bonding for maintenance. A sum sufficient PR appropriation under s. 20.285(1)(gj) is used for this purpose for UW facilities. However, a portion of the maintenance on UW-Madison athletic facilities is funded with GPR. Current law specifies that, for projects authorized by the Building Commission on or after July 1, 2001, an amount equal to 40% of the principal and interest costs for maintenance of UW-Madison intercollegiate athletic

facilities is required to be paid from the PR debt service appropriation. If the amounts provided in that appropriation are insufficient to fund debt service on those facilities, current law specifies that funding from the GPR debt service appropriation under s. 20.285(1)(d) is used. As the current law provision specifies that 40% of the cost of annual maintenance on UW-Madison athletic facilities is supported by the PR appropriation (20.285(1)(g)), under current law, approximately 60% of those costs are provided from the GPR debt service appropriation (20.285(1)(d)).

The bill would provide \$14,600,000 GPR annually in a sum certain appropriation for principal and interest costs for maintenance of UW-Madison intercollegiate athletic facilities and eliminate the current law provision which specifies that 40% of the principal and interest costs for maintenance of UW-Madison intercollegiate athletic facilities must be paid from the PR sum sufficient appropriation. As a result, a set amount of GPR (\$14,600,000) would be available for UW-Madison athletic facility maintenance debt service rather than 60% of costs as currently provided.

In addition, the bill would provide \$200,000 GPR annually beginning in 2025-26 in a new, annual, amounts in the schedule appropriation for principal and interest costs for maintenance of the UW-Milwaukee Klotsche Center.

Further, the bill would provide \$200,000 GPR annually beginning in 2025-26 in a new, annual, amounts in the schedule appropriation for principal and interest costs for principal and maintenance costs of the UW- Green Bay soccer complex.

Assembly Amendment 1

Assembly Amendment 1 would specify that a student athlete who enters into an agreement for the compensation of the student athlete for use of the student-athlete's name, image, or likeness is not an employee of the private institution of higher education that the student athlete attends or has agreed to attend because of the agreement. The newly created sub-section would include the following definitions: (a) "intercollegiate athletic program" means a program established by a private institution of higher education that allows sports played at the collegiate level for which eligibility requirements for participation by a student athlete are established by a national association or athletic conference that promotes or regulates collegiate athletics; (b) "private institution of higher education" means a nationally accredited private nonprofit postsecondary institution that is headquartered in Wisconsin; and (c) "student athlete" means as any student who attends or has agreed to attend a private institution of higher education and participates or has agreed to participate in an intercollegiate athletic program.

In addition, AA1 would clarify that the soccer complex in the bill refers to the "Phoenix Sports Center and Athletic Field Complex."

FISCAL EFFECT

Staff from the UW System and UW-Madison report that the debt service on athletics and related maintenance projects in 2024-25 totaled \$8.3 million at UW-Madison, \$0.3 million at UW-Green Bay, and \$0.2 million at UW-Milwaukee, and that debt service at UW-Madison is projected

to increase to \$9.3 million in 2025-26 and be \$8.3 million in 2026-27. Under current law, PR is used to pay 40% of this debt service at UW-Madison and 100% at other institutions.

Under the bill, the first \$14.6 million of debt service on these bonds at UW-Madison would be paid from GPR, as would the first \$200,000 of debt service on these bonds at each of the other two institutions. This annual GPR support would be ongoing and could be used to pay debt service on current and future bond issues for maintenance of these facilities. The PR that would otherwise have been used for this debt service would remain available for use for other purposes of these athletic programs, including staff and athlete costs.

Based on the projected debt service maintenance costs of \$9.3 million in 2025-26 and \$8.3 million in 2026-27 for UW-Madison athletic facilities, the amount provided under the bill would be sufficient to fully fund costs in each year. If the \$14.6 million GPR exceeds actual costs in any year, the amount remaining in the appropriation would lapse to the general fund. Thus, based on the projected debt service maintenance costs, \$5.3 million would lapse in 2025-26 and \$6.3 million would lapse in 2026-27.

However, if the intent of the bill, as it relates to UW-Madison athletics, is to provide \$14.6 million GPR annually, the language of the new appropriation would need to be modified to authorize a broader range of expenditures, such as all UW-Madison athletics debt service (rather than just maintenance) or all UW-Madison athletics maintenance costs (rather than debt service maintenance costs).

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