

**AN ORDINANCE**

Amending The Philadelphia Code to add a new Chapter 21-3400, entitled “Youth Name, Image, and Likeness Protection,” to establish provisions related to education and counseling for certain Philadelphia youth and their families who are considering licensing publicity rights, all under certain terms and conditions.

*THE COUNCIL OF THE CITY OF PHILADELPHIA HEREBY ORDAINS:*

SECTION 1. Title 21 of The Philadelphia Code is hereby amended to read as follows:

TITLE 21. MISCELLANEOUS

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*CHAPTER 21-3400. Youth Name, Image, and Likeness Protection*

*§ 12-3401. Definitions.*

*(1) Covered Students. Any Philadelphia resident attending high school whose family has an adjusted gross income of \$150,000 or less annually, who either has received, or the City has determined is likely to receive, a NIL Deal, and their family, including guardians.*

*(2) NIL Deal. The offer to enter into a contract or similar arrangement between with a third-party individual or entity pursuant to which the third-party licenses the publicity rights of the student, including the right to use the name, image or likeness of the student for commercial purposes.*

*(3) Managing Director. The Managing Director or such other City department or office as designated by the Mayor.*

*§ 12-3402. Education and Representation Related to NIL Deals.*

*(1) Legal and Financial Representation of Students. The Managing Director shall establish a program for Covered Students to each access up to five billable hours of legal and financial representation to inform such Covered Student’s evaluation of NIL Deals they have received or are likely to receive.*

*(2) Education. The Managing Director shall develop educational materials that are graphically rich and written in easily understood language providing the following information about NIL Deals:*

*(a) Data about NIL Deals, including the frequency for which they are offered in connection with a given sport.*

(b) *The benefits and risks of NIL Deals.*

(c) *Information about what the most common kinds of NIL Deals entail.*

(d) *Links to internet resources for deeper discussion and understanding.*

(d) *Such other information as the City determines is appropriate or helpful.*

(3) *The Managing Director shall take such steps as the Managing Director determines are appropriate to distribute the educational materials developed in subsection 12-3402(2) on at least an annual basis to all high school students who are engaged in sports activities, provided that the first set of educational materials shall be distributed no later than August 31, 2023.*

(4) *The representation and education as set forth in this Section 12-3402 shall be phased in according to such timeline as the Managing Director may determine and shall be effective only at such time, and in such years, as the Finance Director certifies that the City is prepared to spend appropriations to fund such representation and education efforts. If projected need for representation to Covered Students exceeds the available funds, the provision of such representation may be prioritized by reasonable standards as provided by regulation.*

(5) *On August 31 of each year, the Managing Director shall submit a written report to the President and Chief Clerk of Council detailing the number of covered individuals served, the extent of representation performed, metrics evaluating outcomes, as well as a summary of the engagement and education of students regarding NIL Deals. The Managing Director shall post this report online.*