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U.S. Senate passes The Protect College Sports Act of 2026. House of Representatives is the Next Hurdle.

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College athletics has rarely faced a period of greater legal and financial uncertainty. Between the emergence of Name, Image and Likeness (NIL) compensation, the transfer portal, ongoing antitrust litigation, and questions surrounding athlete employment status, the traditional NCAA model has been under unprecedented pressure. Last night, the United Senate took the first step in the latest effort to bring certainty to the college sports landscape, passing the Protect College Sports Act (PCSA) (S.4668). Now, the legal maneuvering moves on to the House of Representatives.

While much of the discussion surrounding the bill has focused on the future structure of college sports, one group is watching especially closely: athletes from the high school graduating Class of 2022, whose eligibility status has become the subject of active litigation and nationwide uncertainty.

A Brief History

The PCSA emerged after years of growing tension between the NCAA's amateurism framework and the realities of modern college athletics. Since states began passing their own NIL laws in 2021, universities, conferences, athletes, and sponsors have operated under a patchwork of differing rules. At the same time, courts have increasingly scrutinized NCAA restrictions under federal antitrust law.

In response, a bipartisan group of senators introduced the Protect College Sports Act in May 2026. The bill advanced out of the Senate Commerce Committee in June and was given full Senate approval, in a 77-22 vote.

What the Current Proposal Would Do

The legislation seeks to create a national framework for college athletics rather than leave regulation to a state-by-state system.

Among its key provisions, the bill would:

- Establish a federal NIL standard and replace the current patchwork of state laws.
- Codify athletes' rights to receive compensation for their name, image, and likeness.
- Create national scholarship and healthcare protections for student-athletes.
- Regulate agents and NIL-related activities through federal standards.
- Establish an athlete retention fund and create guardrails around revenue-sharing arrangements.
- Include provisions intended to protect opportunities in women's and Olympic sports.

Supporters argue that these measures would provide much-needed stability and competitive balance. Critics contend that the legislation could insulate the NCAA and major conferences from future legal challenges while imposing additional restrictions on athlete compensation. In addition, while the bill seeks to limit athlete compensation, it does not currently do the same for coaches, despite an effort to add such a provision last night. Either way, the bill would represent the most significant federal intervention in college sports governance to date.

The Overlooked Issue: The Class of 2022

Lost amid the broader NIL debate is a major eligibility dispute affecting thousands of athletes who graduated high school in 2022.

Earlier this year, the NCAA adopted a new eligibility framework that generally allows athletes five seasons of competition within a five-year period. However, athletes who entered college in the fall of 2022 largely found themselves excluded from the benefits of the new model. They completed four seasons under the prior rules, only to see future athletes receive expanded eligibility.

The result has been a wave of litigation across the country. In one of the most significant developments, a federal court in Colorado issued a nationwide injunction allowing affected Class of 2022 athletes to compete during the 2026-27 academic year while the legal challenges proceed. The NCAA has appealed and continues to oppose a blanket extension of eligibility.

Why the Senate Vote Matters

The PCSA does not directly resolve the Class of 2022 eligibility litigation. However, the legislation could substantially influence the broader legal environment in which these disputes are being fought.

If enacted, the bill would provide Congress's clearest statement yet regarding the future governance of college athletics. A comprehensive federal framework could affect how courts analyze ongoing challenges to NCAA rules, including eligibility restrictions and athlete compensation systems.

For athletes in the Class of 2022, timing is critical. Many are seeking immediate relief because another season of competition cannot be recovered once lost. For universities, the uncertainty complicates roster management, scholarship decisions, and competitive planning. Coaches are being forced to evaluate whether athletes who appeared to have exhausted eligibility may ultimately return to competition.

Looking Ahead

The Senate vote did not represent final passage of the Protect College Sports Act, but it represents an important milestone. If the House next approves the bill, college athletics could be one step closer to a national regulatory structure governing NIL rights, revenue sharing, athlete protections, and institutional oversight.

At the same time, courts continue to wrestle with questions that directly affect current athletes, particularly members of the Class of 2022 who find themselves caught between two generations of eligibility rules. Their cases illustrate a larger reality: college sports is in the middle of a fundamental transformation, and the legal framework governing athletes is still very much under construction

Whether through congressional action, court decisions, or both, the coming months may prove to be some of the most consequential in the history of collegiate athletics. Stakeholders across the college sports landscape should pay close attention to these developments and assess how evolving eligibility, NIL, and governance rules may affect their interests. The Sports Law Industry Group at Flaster Greenberg will continue to provide updates and analysis on the Protect College Sports Act and related eligibility litigation as these issues shape the future of college sports.

ATTORNEYS MENTIONED

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