

UNIFORM ATHLETE AGENTS ACT

2010 GENERAL SESSION

STATE OF UTAH

Chief Sponsor: Paul Ray

Senate Sponsor: Jerry W. Stevenson

LONG TITLE

General Description:

This bill modifies the Uniform Athlete Agents Act related to the board and licensure.

Highlighted Provisions:

This bill:

- ▶ eliminates the Athlete Agents Licensing Board;
- ▶ eliminates a reference to licensure by the division; and
- ▶ makes technical and conforming amendments.

Monies Appropriated in this Bill:

None

Other Special Clauses:

None

Utah Code Sections Affected:

AMENDS:

15-9-103, as last amended by Laws of Utah 2008, Chapter 382

15-9-107, as last amended by Laws of Utah 2008, Chapter 382

Be it enacted by the Legislature of the state of Utah:

Section 1. Section 15-9-103 is amended to read:

15-9-103. Administration -- Rulemaking -- Service of process.

(1) (a) This chapter shall be administered by the [Division of Occupational and Professional Licensing] division and is subject to the requirements of Title 58, Chapter 1, Division of Occupational and Professional Licensing Act, so long as the requirements of Title

30 58, Chapter 1, are not inconsistent with the requirements of this chapter.

31 (b) In accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act,  
32 the division may make rules necessary to implement ~~[the provisions of]~~ this chapter.

33 (2) By acting as an athlete agent in this state, a nonresident individual appoints the  
34 director of the division as the individual's agent for service of process in any civil action in  
35 this state related to the individual's acting as an athlete agent in this state.

36 ~~[(3)(a) There is created the Athlete Agents Licensing Board consisting of four athlete  
37 agents and one member of the general public.]~~

38 ~~[(b) The Athlete Agents Licensing Board shall be appointed and serve in accordance  
39 with Section 58-1-201.]~~

40 ~~[(c) The duties and responsibilities of the Athlete Agents Licensing Board are in  
41 accordance with Sections 58-1-202 and 58-1-203.]~~

42 ~~[(d) In addition, the Athlete Agents Licensing Board shall designate one of its  
43 members on a permanent or rotating basis to:]~~

44 ~~[(i) assist the division in reviewing complaints concerning the unlawful or  
45 unprofessional conduct of a licensee; and]~~

46 ~~[(ii) advise the division in its investigation of these complaints.]~~

47 ~~[(e) A member of the Athlete Agents Licensing Board who has, under Subsection  
48 (3)(d), reviewed a complaint or advised in its investigation may be disqualified from  
49 participating with the board when the board serves as a presiding officer in an adjudicative  
50 proceeding concerning the complaint.]~~

51 Section 2. Section **15-9-107** is amended to read:

52 **15-9-107. Suspension, revocation, or refusal to renew registration.**

53 (1) The division may suspend, revoke, or refuse to renew a registration for conduct  
54 that would have justified denial of registration under Subsection 15-9-106(2).

55 (2) The division may suspend, revoke, or refuse to renew a certificate of registration  
56 ~~[or licensure]~~ only after proper notice and an opportunity for a hearing. Title 63G, Chapter 4,  
57 Administrative Procedures Act, applies to this chapter.

