

1 **REVISED ATHLETIC AGENT ACT**

2 2019 GENERAL SESSION

3 STATE OF UTAH

4 **Chief Sponsor: Lyle W. Hillyard**

5 House Sponsor: V. Lowry Snow

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7 **LONG TITLE**

8 **General Description:**

9 This bill modifies provisions of the Revised Uniform Athlete Agents Act.

10 **Highlighted Provisions:**

11 This bill:

- 12 ▶ modifies provisions related to prohibited conduct for an athlete agent; and
- 13 ▶ makes technical and conforming changes.

14 **Money Appropriated in this Bill:**

15 None

16 **Other Special Clauses:**

17 None

18 **Utah Code Sections Affected:**

19 AMENDS:

20 **58-87-401**, as last amended by Laws of Utah 2018, Chapter 281

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

23 Section 1. Section **58-87-401** is amended to read:

24 **58-87-401. Prohibited conduct.**

25 (1) ~~[A]~~ Subject to Subsection (3), an athlete agent, with the intent to influence a  
26 student athlete or, if the athlete is a minor, a parent or guardian of the athlete to enter into an  
27 agency contract, may not take any of the following actions or encourage any other individual to  
28 take or assist any other individual in taking any of the following actions on behalf of the agent:

- 29 (a) give materially false or misleading information or make a materially false promise

30 or representation;

31 (b) furnish anything of value to the athlete before the athlete enters into the contract; or

32 (c) furnish anything of value to an individual other than the athlete or another  
33 registered athlete agent.

34 (2) An athlete agent may not intentionally do any of the following or encourage any  
35 other individual to do any of the following on behalf of the agent:

36 (a) initiate contact, directly or indirectly, with a student athlete or, if the athlete is a  
37 minor, a parent or guardian of the athlete, to recruit or solicit the athlete, parent, or guardian to  
38 enter into an agency contract unless registered under this chapter;

39 (b) fail to create or retain or to permit inspection of the records required by Section  
40 58-87-304;

41 (c) fail to register when required by Section 58-87-201;

42 (d) provide materially false or misleading information in an application for registration  
43 or renewal of registration;

44 (e) predate or postdate an agency contract; or

45 (f) fail to notify a student athlete or, if the athlete is a minor, a parent or guardian of the  
46 athlete, before the athlete, parent, or guardian signs an agency contract for a particular sport  
47 that the signing may make the athlete ineligible to participate as a student athlete in that sport.

48 (3) An athlete agent registered under this chapter who is certified as an athlete agent in  
49 a particular sport by a national association that promotes or regulates intercollegiate athletics  
50 and establishes eligibility standards for participation by a student athlete in the sport may pay  
51 expenses incurred before the signing of an agency contract by a student athlete, a family  
52 member of the student athlete, and an individual who is a member of a class of individuals  
53 authorized to receive payment for the expenses by the national association that certified the  
54 agent if the expenses are:

55 (a) for the benefit of an athlete who is a member of a class of athletes authorized to  
56 receive the benefit by the national association that certified the agent;

57 (b) of a type authorized to be paid by a certified agent by the national association that

58 certified the agent; and

59 (c) for a purpose authorized by the national association that certified the agent.