

1 **UNIFORM ATHLETE AGENTS ACT AMENDMENTS**

2 2020 GENERAL SESSION

3 STATE OF UTAH

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

5 House Sponsor: Craig Hall

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 2019, Chapter 350

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

29 An athlete agent may not intentionally:

30 ~~[(a)]~~ (1) give a student athlete or, if the athlete is a minor, a parent or guardian of the
31 athlete materially false or misleading information or make a materially false promise or
32 representation with the intent to influence the athlete, parent, or guardian to enter into an
33 agency contract;

34 ~~[(b)]~~ (2) furnish anything of value to [the athlete before the athlete enters into the
35 contract; or] a student athlete or another individual, if to do so may result in loss of the athlete's
36 eligibility to participate in the athlete's sport, unless:

37 (a) the agent notifies the athletic director of the educational institution at which the
38 athlete is enrolled or at which the agent has reasonable grounds to believe the athlete intends to
39 enroll, not later than 72 hours after giving the thing of value; and

40 (b) the athlete or, if the athlete is a minor, a parent or guardian of the athlete
41 acknowledges to the agent in a record that receipt of the thing of value may result in loss of the
42 athlete's eligibility to participate in the athlete's sport;

43 ~~[(c) furnish anything of value to an individual other than the athlete or another~~
44 ~~registered athlete agent.]~~

45 ~~[(2) An athlete agent may not intentionally do any of the following or encourage any~~
46 ~~other individual to do any of the following on behalf of the agent:]~~

47 ~~[(a)]~~ (3) initiate contact, directly or indirectly, with a student athlete or, if the athlete is
48 a minor, a parent or guardian of the athlete[;] to recruit or solicit the athlete, parent, or guardian
49 to enter into an agency contract unless registered under this chapter;

50 ~~[(b)]~~ (4) fail to create [or], retain, or [to] permit inspection of the records required by
51 Section 58-87-304;

52 ~~[(c)]~~ (5) fail to register when required by Section 58-87-201;

53 ~~[(d)]~~ (6) provide materially false or misleading information in an application for
54 registration or renewal of registration;

55 ~~[(e)]~~ (7) predate or postdate an agency contract; [or]

56 ~~[(f)]~~ (8) fail to notify a student athlete or, if the athlete is a minor, a parent or guardian
57 of the athlete[;] before the athlete, parent, or guardian signs an agency contract for a particular

58 sport that the signing may [~~make the athlete ineligible to participate as a student athlete in that~~
59 ~~sport.~~] result in loss of the athlete's eligibility to participate in the athlete's sport;

60 (9) encourage another individual to do any of the acts described in Subsections (1)
61 through (8) on behalf of the agent; or

62 (10) encourage another individual to assist any other individual in doing any of the acts
63 described in Subsections (1) through (8) on behalf of the agent.

64 [~~(3) An athlete agent registered under this chapter who is certified as an athlete agent in~~
65 ~~a particular sport by a national association that promotes or regulates intercollegiate athletics~~
66 ~~and establishes eligibility standards for participation by a student athlete in the sport may pay~~
67 ~~expenses incurred before the signing of an agency contract by a student athlete, a family~~
68 ~~member of the student athlete, and an individual who is a member of a class of individuals~~
69 ~~authorized to receive payment for the expenses by the national association that certified the~~
70 ~~agent if the expenses are:]~~

71 [~~(a) for the benefit of an athlete who is a member of a class of athletes authorized to~~
72 ~~receive the benefit by the national association that certified the agent;]~~

73 [~~(b) of a type authorized to be paid by a certified agent by the national association that~~
74 ~~certified the agent; and]~~

75 [~~(c) for a purpose authorized by the national association that certified the agent.]~~