

CERTIFICATION OF ENROLLMENT  
**SUBSTITUTE HOUSE BILL 1712**

Chapter 236, Laws of 1991

52nd Legislature  
1991 Regular Session

ATHLETE AGENT REGISTRATION

EFFECTIVE DATE: 7/28/91

Passed by the House March 19, 1991  
Yeas 98 Nays 0

JOE KING  
Speaker of the  
House of Representatives

Passed by the Senate April 17, 1991  
Yeas 36 Nays 11

JOEL PRITCHARD  
President of the Senate

Approved May 16, 1991

BOOTH GARDNER  
Governor of the State of Washington

CERTIFICATE

I, Alan Thompson, Chief Clerk of the House of Representatives of the State of Washington, do hereby certify that the attached is **SUBSTITUTE HOUSE BILL 1712** as passed by the House of Representatives and the Senate on the dates hereon set forth.

ALAN THOMPSON  
Chief Clerk

FILED

May 16, 1991 - 11:00 a.m.

Secretary of State  
State of Washington

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**SUBSTITUTE HOUSE BILL 1712**

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AS AMENDED BY THE SENATE

Passed Legislature - 1991 Regular Session

**State of Washington                      52nd Legislature                      1991 Regular Session**

**By** House Committee on Commerce & Labor (originally sponsored by Representatives Heavey, Lisk, Cole, Fuhrman, Wood, Betrozoff, Jacobsen, R. Meyers, Phillips, Winsley, Ferguson, Orr and Wineberry).

Read first time February 28, 1991.

1            AN ACT Relating to the registration of athlete agents; adding a new  
2 chapter to Title 18 RCW; prescribing penalties; and making an  
3 appropriation.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5            NEW SECTION.    **Sec. 1.**            The legislature finds it necessary to  
6 regulate the practice of athlete agents and athlete agent firms to  
7 protect the public health, safety, and welfare. The public has a right  
8 to be kept informed about the role of athlete agents. The purpose of  
9 this chapter is to help ensure that public information is available and  
10 that the integrity of interscholastic athletics is preserved.

11           NEW SECTION.    **Sec. 2.**            (1) It is a violation of this chapter  
12 for a person to practice or represent himself or herself as an athlete  
13 agent or athlete agent firm without a certificate of registration as an  
14 athlete agent or athlete agent firm.

1 (2) It is a violation of this chapter for a person other than a  
2 registered athlete agent or an employee or representative of a  
3 professional sport team to directly or indirectly solicit an individual  
4 to enter into an agent contract or professional sport services contract  
5 or procure, offer, promise, or attempt to obtain employment for an  
6 individual with a professional sport team or as a professional athlete.

7 NEW SECTION. **Sec. 3.** Unless the context clearly requires  
8 otherwise, the definitions in this section apply throughout this  
9 chapter.

10 (1) "Department" means the department of licensing.

11 (2) "Director" means the director of licensing.

12 (3) "Athlete agent" means an individual registered under this  
13 chapter.

14 (4) "Athlete agent firm" means a sole proprietorship, partnership,  
15 association, corporation, or other entity that employs one or more  
16 individuals to act as an athlete agent on behalf of the entity.

17 (5) "Agent contract" means a contract or agreement pursuant to  
18 which a person authorizes or empowers an athlete agent to negotiate or  
19 solicit on behalf of the person with one or more professional sport  
20 teams for the employment of the person by a professional sport team or  
21 to negotiate or solicit on behalf of the person for the employment of  
22 the person as a professional athlete.

23 (6) "Institution of higher education" means a public or private  
24 college or university in this state.

25 (7) "Professional athlete" means a person who is under contract to  
26 a professional sports team and is no longer enrolled in an institution  
27 of higher education as an undergraduate student.

28 (8) "Professional sport services contract" means a contract or  
29 agreement pursuant to which a person is employed or agrees to render

1 services as a player on a professional sport team or as a professional  
2 athlete.

3 (9) "Student athlete" means a person who engages in, is eligible to  
4 engage in, or may be eligible to engage in any intercollegiate sporting  
5 event, contest, exhibition, or program in this state. The term also  
6 includes an individual who has applied for enrollment to an institution  
7 of higher education. A person ceases to be a "student athlete" as soon  
8 as his or her collegiate eligibility in the sport in which he or she is  
9 under scholarship has expired.

10 NEW SECTION. **Sec. 4.** The registration provisions of this  
11 chapter do not apply to a person:

- 12 (1) Who is related to the student athlete by blood or marriage;
- 13 (2) Who represents or advises no more than one student athlete in  
14 any given year; or
- 15 (3) Who represents only professional athletes.

16 NEW SECTION. **Sec. 5.** In addition to any other authority  
17 provided by law, the director may:

- 18 (1) Adopt rules in accordance with chapter 34.05 RCW as necessary  
19 to implement this chapter;
- 20 (2) Establish forms and procedures as necessary to administer this  
21 chapter;
- 22 (3) Register applicants;
- 23 (4) Hire clerical, administrative, and investigative staff as  
24 needed to implement and administer this chapter;
- 25 (5) Maintain the official departmental record of all applicants and  
26 registrants; and
- 27 (6) Set all registration, renewal, and late renewal fees in  
28 accordance with RCW 43.24.086.



1 (b) Enter into an agreement whereby the athletic agent offers  
2 anything of value to an employee of an institution of higher education  
3 in return for the referral of a student athlete by that employee.

4 (2) It is a class C felony punishable according to chapter 9A.20  
5 RCW for an athlete agent, athlete agent firm, or any person exempt  
6 under section 4 of this act to offer money or any valuable  
7 consideration to a student athlete to induce the student athlete to  
8 enter into a professional sports services contract.

9 NEW SECTION. **Sec. 8.** The regulation of athlete agents is a  
10 matter affecting the public interest for the purpose of applying  
11 chapter 19.86 RCW. Activities of athlete agents prohibited under this  
12 chapter are not reasonable in relation to the development and  
13 preservation of business. A violation of this chapter constitutes an  
14 unfair or deceptive act or practice in trade or commerce for the  
15 purpose of applying chapter 19.86 RCW.

16 NEW SECTION. **Sec. 9.** Sections 1 through 8 of this act shall  
17 constitute a new chapter in Title 18 RCW.

18 NEW SECTION. **Sec. 10.** The sum of forty-two thousand dollars,  
19 or as much thereof as may be necessary, is appropriated from the  
20 general fund to the department of licensing for the biennium ending  
21 June 30, 1993, to carry out the purposes of this act.

Passed the House March 19, 1991.  
Passed the Senate April 17, 1991.  
Approved by the Governor May 16, 1991.  
Filed in Office of Secretary of State May 16, 1991.