

SENATE BILL REPORT

SHB 1712

AS REPORTED BY COMMITTEE ON COMMERCE & LABOR, APRIL 5, 1991

**Brief Description:** Providing for the registration of athlete agents.

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

**HOUSE COMMITTEE ON COMMERCE & LABOR**

**SENATE COMMITTEE ON COMMERCE & LABOR**

**Majority Report:** Do pass.

Signed by Senators Matson, Chairman; McCaslin, McMullen, Moore, and Murray.

**Staff:** Forrest Bathurst (786-7429)

**Hearing Dates:** April 4, 1991; April 5, 1991

**BACKGROUND:**

A substantial number of athletes from Washington's colleges and universities go on to play professional sports. In most cases, before signing a professional sports contract an athlete will hire an agent to negotiate a contract or find employment for the athlete in a professional sport. Currently, Washington has no laws specifically regulating athlete agents.

**SUMMARY:**

Athlete agents are required to register with the Department of Licensing. Only a registered athlete agent or an employee or representative of a professional sport team may solicit an individual to enter into an agent contract or professional sport services contract or procure, offer, promise, or attempt to obtain employment for an individual as a professional athlete.

Registration and Reporting

The Department of Licensing is authorized to establish rules necessary to register athlete agents and to maintain the official record of all applicants. An athlete agent must file a disclosure statement, including the following information: educational background; experience; name and address of firms represented; criminal convictions; and sanctions resulting from his or her activities as an athlete agent.

Failure to Register or Report

A violation of this chapter is a per se violation of the Consumer Protection Act.

Criminal Sanctions

It is a gross misdemeanor for an athlete agent to induce a student athlete to enter into an agent contract or a professional sport services contract. A student athlete is a person who engages in, is eligible to engage in, or may be eligible to engage in any intercollegiate sporting event, contest, exhibition or program in this state. A person ceases to be a student athlete as soon as his or her collegiate eligibility in the sport in which he or she is under scholarship has expired.

It is also a gross misdemeanor for an athlete agent to offer anything of value to an employee of a school in return for the referral of a student athlete by that employee.

It is a class C felony for an athlete agent or athlete agent firm to offer money or any valuable consideration to a student athlete.

**Appropriation:** none

**Revenue:** none

**Fiscal Note:** available

**TESTIMONY FOR:**

The bill provides for consumer protection concerns of collegiate and professional athletes when selecting agents.

**TESTIMONY AGAINST:**

The bill contains no appropriation for the Department of Licensing to administer the program.

**TESTIFIED:** Becky Bogard, Bogard and Corneille (pro); Jonathan Kroman, Garvey Schubert & Barer (pro); Cynthia Jones, Dept. of Licensing (con)