

FINAL BILL REPORT

SB 6457

C 131 L 02
Synopsis as Enacted

Brief Description: Adopting the uniform athlete agents act.

Sponsors: Senators Carlson and Jacobsen.

Senate Committee on Labor, Commerce & Financial Institutions
House Committee on Commerce & Labor

Background: Agents who attempt to secure professional athletic or endorsement contracts for college athletes are currently not regulated in Washington. There is concern that some college athletes may sign contracts without understanding that their ability to compete at the collegiate level may be jeopardized. There is also concern that educational institutions may lack effective remedies under current law to recover damages as a result of a college athlete turning professional.

Summary: If an agent initiates contact with a college athlete, she/he must provide the athlete with a disclosure form within seven days. The disclosure form must include information about the agent's business operations, including any disciplinary sanctions that have been imposed upon the agent. If an athlete is not provided with this disclosure form within seven days, any contract signed by the athlete is null and void.

Agents must provide student athletes with a contract. Required elements of the contract are specified, including a description of any expenses the student athlete agrees to pay and a disclaimer that athletes may lose their eligibility to compete as a student if they sign the contract. A student athlete may cancel a contract within 14 days after the contract has been signed. Agents must retain records of their business practices for five years.

At least 72 hours prior to signing a contract, and within 72 hours after signing a contract, both the student athlete and the agent must notify the athletic director of the student's educational institution, and must provide the athletic director with a copy of the agent's disclosure form.

No person can be an agent in this state if she/he has been convicted of a felony or other crime involving moral turpitude, has had his or her license suspended by another state, or if his or her behavior has resulted in sanctions to an athlete or an educational institution. In addition, no person may be an agent in this state if they engage in any other prohibited activities specified.

Acts prohibited are class C felonies and are also punishable by a civil penalty of up to \$10,000. An educational institution has a right of action against an athlete agent or a former student athlete if the institution is damaged by the agent or athlete's conduct. "Damage" includes being penalized or suspended from participation in athletics by a national athletic association or conference as a result of the agent or athlete's actions.

Family members of the athlete or agents acting solely on the behalf of a professional sports organization are not considered to be agents for the purposes of the bill.

Votes on Final Passage:

Senate	48	0	
House	97	0	(House amended)
Senate	47	0	(Senate concurred)

Effective: June 13, 2002