

THE HOUSE OF REPRESENTATIVES  
Tuesday, February 24, 2009

House Bill No. 1095

HOUSE BILL NO. 1095 - By: THOMSEN, DENNEY, SHUMATE, WRIGHT (HAROLD)  
AND KERN of the House and BINGMAN of the Senate.

An Act relating to schools; amending Section 14, Chapter 375, O.S.L. 2003 (70  
O.S. Supp. 2008, Section 821.94), which relates to athlete agents; expanding  
list of prohibited acts to include certain communication with student-athletes;  
and providing an effective date.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

- 1 SECTION 1. AMENDATORY Section 14, Chapter 375, O.S.L. 2003 (70 O.S.  
2 Supp. 2008, Section 821.94), is amended to read as follows:  
3 Section 821.94 A. An athlete agent, with the intent to induce a student-athlete to  
4 enter into an agency contract, shall not:  
5 1. Give any materially false or misleading information or make a materially false  
6 promise or representation;  
7 2. Furnish anything of value to a student-athlete before the student-athlete enters  
8 into the agency contract; or  
9 3. Furnish anything of value to any individual other than the student-athlete or  
10 another registered athlete agent.  
11 B. An athlete agent shall not intentionally:

- 1           1. Initiate contact with a student-athlete unless the athlete agent registered  
2 pursuant to the Uniform Athlete Agents Act;
- 3           2. Refuse or fail to retain or permit inspection of the records required to be retained  
4 by Section ~~13~~ 821.93 of this ~~act~~ title ;
- 5           3. Fail to register when required by Section 4 821.84 of this ~~act~~ title;
- 6           4. Provide materially false or misleading information in an application for  
7 registration or renewal of registration;
- 8           5. Predate or postdate an agency contract; or
- 9           6. Fail to notify a student-athlete before the student-athlete signs or otherwise  
10 authenticates an agency contract for a particular sport that the signing or authentication  
11 may make the student-athlete ineligible to participate as a student-athlete in that sport.

12           C. An athlete agent is prohibited from any and all communication with student-  
13 athletes who are ineligible to be drafted, with the exception of general promotional  
14 brochures. Communication includes, but is not limited to in-person contact, telephonic  
15 and electronic communication.

16           SECTION 2. This act shall become effective November 1, 2009.

17           COMMITTEE REPORT BY: COMMITTEE ON HIGHER EDUCATION AND CAREER  
18           TECH, dated 02-23-09 - DO PASS, As Coauthored.